### DIRECTORS' MEETING MONDAY, MARCH 21, 2005 - 11:00 A.M. CONFERENCE ROOM 113

### I. MAYOR

1. Washington Report - March 11, 2005.

### II. DIRECTORS

### **FINANCE**

1. Material from Don Herz - RE: EMS Activity through February 28, 2005.

### FINANCE/AUDIT

1. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: Quarterly Keno Compliance Audit - (See Letter)

### FINANCE DEPARTMENT/CITY TREASURER

- Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer
   RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska Investments Purchased March 7 thru March 11, 2005.
- 2. Monthly City Cash Report City of Lincoln-Pledged Collateral Statement February 28, 2005.

### **PLANNING**

1. Letter from Marvin Krout to W. Cecil Steward, President/CEO, Joslyn Castle Institute for Sustainable Communities - (See Letter)

### PUBLIC WORKS & UTILITIES DEPARTMENT

1. Memo from Randy Hoskins - RE: Appeal of Use Permit #148 -(See Memo)

2. Material - RE: Salt Creek Floodplain Mapping Update-Project Overview-(Material for Pre-Council scheduled on 3/21/05) (See Material)

### WEED CONTROL AUTHORITY

1. Combined Weed Program - City of Lincoln - February 2005 Monthly Report.

### III. CITY CLERK

### IV. COUNCIL

### A. COUNCIL REQUESTS/CORRESPONDENCE

### GLENN FRIENDT

1. Request to Marc Wullschleger, Urban Development Director /Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — 1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05.

### **ANNETTE McROY**

1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI** #164 - 02-18-05 - Joint Request w/P.Newman)

### **PATTE NEWMAN**

- 1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI**#30 02-18-05 Joint Request w/A.McRoy)
- 2. Request to Lynn Johnson, Parks & Recreation Director RE: Request for more information on the tennis courts at Woods Park- (RFI#31-03/04/05). 1.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#31-3/14/05.

3. Request to Marc Wullschleger, Urban Development/Lynn Johnson, Parks & Recreation/Ann Harrell, Public Works - RE: Requesting information about the proposed bike/ped bridge over North 27<sup>th</sup> Street - (RFI#32-3/15/05)

### V. MISCELLANEOUS

- 1. E-Mail from Ingrid Lott RE: The proposed Wal-Mart at 84<sup>th</sup> & Adams -(See E-Mail)
- 2. E-Mail from Monica Janssen, BA, MHS RE: The 'Ride For Five' Program-(See E-Mail)
- 3. Letter from Yolanda Rentina RE: The 'Ride For Five' Program-(See Letter)
- 4. E-Mail from Dr. Patrick Jones RE: The 'Ride For Five' Program-(See E-Mail)
- 5. E-Mail from Mark Filholm RE: The 'Ride For Five' Program-(See E-Mail)
- 6. E-Mail from Carleen Sanchez RE: The 'Ride For Five' Program-(See E-Mail)
- 7. Letter from Tasha Thomas RE: The 'Ride For Five' Program (See E-Mail)
- 8. E-Mail from S. Todd Swanson RE: Change of Zone #05014-(Council received copy of this E-Mail on 3/14/05 in their file folders before Formal Council Meeting) (See E-Mail)
- 9. Letter from Charles W. Swingle RE: 'Ride For Five' Program-(See Letter)
- 10. E-Mail from Lt. Col. Joseph W. Johnson, Jr., USAF Retired RE: Antelope Valley -(See E-Mail)
- 11. Letter & Material from Steve Pella, Aquila RE: Aquila has announced a major step in its strategy to achieve investment-grade utility status-The announcement is attached-(See Material)
- 12. Letter & Material from Mike Marsh, V.P., Realty Trust Group RE: Requesting to put item on Pending Change of Zone #05004-84th Street & Old Cheney Road-Pine Garden Planned Unit Development -(See Material)

- 13. Letter from Jeannette Christianson, Administrative Assistant, Lincoln Medical Education Partnership (LMEP) Pathways to Self-Sufficiency Program RE: The 'Ride for Five' Program (See Letter)
- 14. Letter & Material from Paul Beetz & Colette Beetz RE: My daughter received an unpleasant letter from Lincoln Parks & Rec. telling her that her services as lifeguard were not needed (See Material)
- 15. E-Mail & Material from J.R. Brown, North Hills RE: Blind sided by Development -(See Material)
- 16. E-Mail from Emily Levine RE: Change of Zone 05014-(See E-Mail)
- 17. E-Mail from Christopher & Katee Talley RE: Near South Neighborhood-(See E-Mail)
- 18. 2 -E-Mail's from Ben Rader & Sharon Nemeth RE: Low-income bus passports -(See E-Mail's)
- 19. Letter from A. Bus Rider RE: Would like you to keep the 'Ride For Five' Program -(See Letter)
- 20. Letter from Terri Smith RE: Please consider continuing the 'Ride For Five' Program-(See Letter)
- 21. Letter from Don & Darlene Muthersbaugh RE: In support of Change of Zone 05014-(See Letter)
- 22. Faxed Letter from Janice Harroun RE: Change of Zone 05014 (See Letter)
- 23. E-Mail from Rena Worth RE: In support of keeping the 'Ride For Five' Program -(See E-Mail)
- 24. Letter from Jamie Taylor RE: The 'Ride For Five' Program-(See Letter)
- 25. Letter from Tanna Shoyo RE: The 'Ride For Five' Program-(See Letter)

### VI. ADJOURNMENT

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# Washington Report

Vol. 11 No. 6 March 11, 2005

City of Lincoln -- Washington Office

## **House Approves TEA-21 Bill**

### **INSIDE**

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### **Transportation**

House approves TEA-21 rewrite in face of White House veto threat. The House overwhelmingly approved (417-9) a six-year, \$284 billion reauthorization of federal surface transportation programs (HR 3) this week. The White House, in a statement prior to the House vote, threatened to veto the bill over a provision that would suspend the distribution of transportation funds to states after 2006 unless Congress "reopens" the act to increase the minimum rate of return for contributions to the Highway Trust Fund to 95 percent.

During the floor debate, the House adopted a 162-page "managers without debate amendment" that made a number of changes to the legislation and spelled out what percentage of the bill's highway dollars would constitute the "scope," or the pot of money to be divided up among the states. Under a carefully crafted compromise, the \$11 billion worth of highpriority projects, or members' earmarks, would be included in the funds that are allocated to the states through a formula. The inclusion of those funds will help keep the scope at 92.6 percent, which is current law. The House TEA-21 bill approved last year did not include earmarks in the formula, thus reducing to 84 percent the amount of highway funds allocated to states by formula. The amendment also included a \$12 billion rescission of existing unused contract authority to keep the bill's total contract authority level at \$284 billion, as per the President's demands.

However, still unresolved in the bill are the concerns of members from "donor states," those that receive less than they contribute to the Highway Trust Fund. These Members, led by House Majority Leader Tom DeLay (R-TX) want each state to be guaranteed a 95 percent return, but achieving that is an almost impossible task under the \$284 billion level. House Transportation and Infrastructure Committee

Chairman Don Young (R-AK) promised to continue to work with DeLay on the issue as the bill makes it way to a House-Senate conference. "The bill coming out of the House is not the bill that will go to the President," DeLay remarked after the floor vote.

Young was also able to increase the amount of money in the bill for member earmarks from \$8.9 billion in the bill approved in committee last week to \$10.7 billion. The result was an increase in the overall number of earmarks from 3,315 to 3,676 and in many cases, earmarks included in the committee bill were increased.

Meanwhile, the Senate Environment and Public Works Committee has tentatively scheduled a markup of its version of a TEA-21 reauthorization bill for March 16. However, it remains to be seen whether a \$284 billion bill could pass that panel, as there is still a great deal of support for the \$318 billion measure approved by the Senate last year. Committee Chairman James Inhofe (R-OK) indicated that he was hopeful that revenue streams could be found to maintain the \$318 billion level without a tax increase.

### **Budget**

House and Senate panels approve FY 2006 budget resolutions. Both the House and Senate Budget Committees approved separate versions of the FY 2006 budget resolution this week and leaders in both chambers hope to approve the resolutions, which do not require Presidential approval, on their respective floors next week.

While Republican leaders maintained that the austere budget proposals would assist in reducing the \$400 billion deficit by half over the next five years, the resolutions both allowed for significant tax cuts over that period as well. The House plan leaves room for \$106 billion in tax cuts, while the Senate allows for \$70 billion. The President is asking for approximately \$100 billion

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over the next five years to make many of his tax cut proposals permanent.

Both the House and Senate budget blueprints provide for the President's request to freeze non-defense domestic discretionary spending in FY 2006 at \$404 billion. The Budget Committees also made the fight to save the Community Development Block Grant (CDBG) program more difficult by reducing the suggested allocation for Community and Regional Development programs (a broad funding category that would include CDBG) from its FY 2005 level of \$23 billion to \$13 billion in FY 2006. The panels took this action even after a group of over 50 Senators and over 150 House members wrote in support of FY 2005 levels for CDBG.

House and Senate leaders would like to complete action on the FY 2006 budget resolution before the April 15 deadline for its passage so that the budget process in the Appropriations Committees can begin in earnest. In reality, the specific recommendations of the budget resolution are not binding, as they simply reflect assumptions in arriving at the overall spending levels. As the committee that will have the final say in funding levels for endangered programs such as CDBG, Appropriations will be the center of attention through the spring and summer.

### **Environment**

Senate committee rejects President's "Clear Skies" initiative. The Senate Environment and Public Works Committee this week failed to approve legislation to implement the President's plan rewrite federal air pollution laws. Known as the "Clear Skies" Initiative, the measure seeks to reduce industrial emissions of sulfer dioxides, nitrous oxides, and toxic mercury, and represents the most sweeping changes to the Clean Air Act since 1991.

The Clear Skies bill failed in the EPW Committee on a tie vote of 9-9, with Republican Lincoln Chafee (R-RI) siding with eight pale Democrats against the bill. Chafee believes that carbon dioxide, which

is believed to be linked with global warming, should also be included in the list of targeted emissions, but the White House and panel Republicans reject that notion. Democrats also believe that Clear Skies is actually weaker than current law with regard to air pollution controls but that the Bush Administration has been unwilling to enforce the Clean Air Act.

The White House, on the other hand, believes that overly stringent air quality laws will result in higher power prices as utilities will have to spend millions on equipment to comply. In addition, they believe it would cause polluting industries to move to countries with weaker air quality laws, taking jobs with them.

Senators on both sides of the aisle believe that comprise on this issue is obtainable, but neither side has indicated any willingness to comprise on the carbon dioxide issue.

### Welfare

Senate panel begins work on TANF reauthorization; most issues remain unresolved. The Senate Finance Committee approved legislation to reauthorize the Temporary Assistant for Needy Families Program (TANF), the primary federal welfare program for single mothers, this week. However, widely divergent opinions over issues such as child care funding and work requirements remain unresolved both among Committee members and in the Senate at large as well as between the Senate and the House.

Created by the 1996 Welfare Reform Act, TANF replaced guaranteed welfare payments to poor single mothers with assistance with five-year time limits tied to work requirements. The law creating TANF expired in 2002 and has been kept alive by a series of eight temporary extensions as Congress grappled with long term reauthorization of the program, unable to resolve differences over increased work requirements and child care funding.

As passed by the Finance Committee, the bill would increase the work requirement for TANF recipients from 30 to 34 hours a week. It also includes a provision inserted by Senator Olympia Snowe (R-ME) that would increase child care funding by \$6 billion over the next five years. The Administration, joined by conservative Senators and many House Republicans, is calling for a work requirement of 40 hours per week and an increase in child care funding of \$1 billion over the next five years. They argue that tougher work requirements and marriage promotion programs play a more important role in reducing welfare rolls. During Committee debate on the bill, Senators Trent Lott (R-MS) and Rick Santorum (R-PA) took Snowe to task for her provision, with Lott saying it cost too much and Santorum arguing that child care is an issue only in Washington and that the \$200 million for marriage promotion programs and \$50 million for fatherhood programs in the bill will do a lot more to help children than child care funding.

Several Democrats, led by Senator Jeff Bingaman (D-NM) also voiced concern over the Snowe provision, arguing that the offset, a tightening of Earned Income Tax Credit (EITC) eligibility would hurt some legal immigrants. Bingaman said that while he supports increased child care funding, he will seek another source of funding to offset it. Committee Chairman Charles Grassley (R-IA) agreed to work with Bingaman on the issue as the bill moves forward.

Even if the Senate resolves all of their differences, the House remains adamant about a 40 hour per week work requirement and hostile to major increases in child care funding. With the current extension of TANF set to expire on March 31 and with the House yet to consider a reauthorization bill, another extension will be necessary. It may need to be a long one.

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### **Grant Opportunities**

Department of Health and Human Services, March 7: The Substance Abuse Mental Health Services Administration's Center for Mental Health Services is accepting applications for the Targeted Capacity Expansion: Meeting the Mental Health Services Needs of Older Adults grant program. Approximately \$4.4 million is available for grants to expand services to adults over 60 who are at risk for or are experiencing mental health problems. The grant supports both infrastructure development and direct services. Eleven awards from \$375,000 to \$400,000 per year for projects periods of up to three years will be given. There is no required costsharing. For more information, see: www.samhsa.gov/Grants/2005/nofa/sm05 012rfa older.pdf. (Grants.gov)

### **City of Lincoln EMS Cash Receipts/Expenditure Data** FY 2004-05

02/28/05

### Emergency:

	Total Month	Total Month	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forwar	d		11,333,698	11,862,645	(528,947)
September	257,880	334,429	(76,549)	11,591,578	12,197,074	(605,496)
October	340,384	236,532	103,852	11,931,962	12,433,606	(501,644)
November	285,137	243,108	42,029	12,217,099	12,676,714	(459,615)
December	271,751	333,645	(61,894)	12,488,850	13,010,359	(521,509)
January	306,445	427,617	(121,172)	12,795,295	13,437,976	(642,681)
February	272,071	295,210	(23,139)	13,067,366	13,733,186	(665,820)
March			-			
April			-			
May			-			
June			-			
July			-			
August			-			

### Non-Emergency:

	Total	Total	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forwar	d		1,490,522	1,991,639	(501,117)
September	2,366	408	1,958	1,492,888	1,992,047	(499,159)
October	1,059	184	875	1,493,947	1,992,231	(498,284)
November	1,555	114	1,441	1,495,502	1,992,345	(496,843)
December	1,883	137	1,746	1,497,385	1,992,482	(495,097)
January	328	154	174	1,497,713	1,992,636	(494,923)
February	766	11	755	1,498,479	1,992,647	(494,168)
March			-			
April			-			
May			-			
June			-			
July			-			
August			-			

### Total

	Total	Total	Net Receipts	Cumulative	Cumulative	Cumulative
Month	Receipts	Expenditures	(Expenditures)	Receipts	Expenditures	Net
FY 2003-04 E	Balance Forwar	d		12,824,220	13,854,284	(1,030,064)
September	260,246	334,837	(74,591)	13,084,466	14,189,121	(1,104,655)
October	341,443	236,716	104,727	13,425,909	14,425,837	(999,928)
November	286,692	243,222	43,470	13,712,601	14,669,059	(956,458)
December	273,634	333,782	(60,148)	13,986,235	15,002,841	(1,016,606)
January	306,773	427,771	(120,998)	14,293,008	15,430,612	(1,137,604)
February	272,837	295,221	(22,384)	14,565,845	15,725,833	(1,159,988)
March	-	-	-	-	-	-
April	-	-	-	-	-	-
May	-	-	-	-	-	-
June	-	-	-	-	-	-
July	-	-	-	-	-	-
August	-	-	-	-	-	-

SOURCE: Finance Department General Ledger

Amount Pending in JDE: \$0

NOTE: Amount Received in Lock Box not posted: \$0

Emergency:	Total	Amaunt	Contractual	Collegiable		Callagtion	Callaction	Mrito	Domoining	Doroont
Month	Total Bills	Amount Billed	Contractual Reductions	Collectable Amount	Amount Collected	Collection % of Gross	Collection % of Net	Write Offs	Remaining Accounts Rec	Percent Remaining
FY2000-01 Total	6,570	3,475,230	590,113	2,885,117	2,337,731	67.27%	81.03%	547,386	-	0.00%
	9,858	5,179,834	967,560	4,212,274	3,410,835	65.85%	80.97%	801,439		0.00%
FY2001-02 Total	9,000	5,179,634	967,360	4,212,274	3,410,635	03.03%	00.97%	001,439	-	0.00%
FY 2002-03 September	838	424,805	83,276	341.529	276,798	65.16%	81.05%	64,731		0.00%
October	844	425,929	79,976	345,953	278,059	65.28%	80.37%	67,894	-	0.00%
November	822	428,926	86,826	342,100	276,829	64.54%	80.92%	65,271	-	0.00%
December	830	428,831	85,385	343,446	289,455	67.50%	84.28%	53,991	-	0.00%
January	789	407,270	92,113	315,157	264,263	64.89%	83.85%	50,894	-	0.00%
February	797	414,155	88,432 92,573	325,723	272,570	65.81%	83.68%	53,153	-	0.00%
March April	848 851	430,166 431,818	92,573 85,796	337,593 346,022	275,663 273,675	64.08% 63.38%	81.66% 79.09%	61,930 72,347	-	0.00% 0.00%
May	882	443,385	87,365	356,020	276,554	62.37%	77.68%	79,466		0.00%
June	781	385,596	77,497	308,099	240,860	62.46%	78.18%	3,135	64,104	16.62%
July	822	417,088	86,619	330,469	246,996	59.22%	74.74%	5,242	78,231	18.76%
August	910	468,964	98,244	370,720 4,062,831	298,454	63.64%	80.51%	3,409	68,857	14.68%
FY2002-03 Total	10,014	5,106,933	1,044,102	4,062,831	3,270,176	64.03%	80.49%	581,463	211,192	4.14%
FY 2003-04	700	200 400	00.000	045 504	050 700	04.040/	04.070/	4.574	54.045	40.500/
September October	792 898	399,190 452,964	83,666 92,512	315,524 360,452	256,738 290,947	64.31% 64.23%	81.37% 80.72%	4,571 3,245	54,215 66,260	13.58% 14.63%
November	860	436,197	91,214	344,983	270,907	62.11%	78.53%	5,075	69,001	15.82%
December	936	474,101	105,622	368,479	293,034	61.81%	79.53%	6,707	68,738	14.50%
January	873	455,856	107,889	347,967	270,057	59.24%	77.61%	6,245	71,665	15.72%
February	832	439,676	111,974	327,702	257,048	58.46%	78.44%	4,786	65,868	14.98%
March	716	386,466	94,212	292,254	232,119	60.06%	79.42%	4,039	56,096	14.52%
April May	756 847	398,475 442,566	93,940 96,810	304,535 345,756	232,109 252,843	58.25% 57.13%	76.22% 73.13%	1,846 2,205	70,580 90,708	17.71% 20.50%
June	857	455,539	101,982	353,557	254,590	55.89%	73.13% 72.01%	2,205	96,345	20.50%
July	899	477,808	96,999	380,809	267,707	56.03%	70.30%	9,527	103,575	21.68%
August	870	466,677	98,585	368,092	243,783	52.24%	66.23%	5,567	118,742	25.44%
FY2003-04 Total	10,136	5,285,515	1,175,405	4,110,110	3,121,882	59.06%	75.96%	56,435	931,793	17.63%
FY 2004-05										
September	897	497,114	101,370	395,744	237,720	47.82%	60.07%	4,832	153,192	30.82%
October November	843 774	457,583	96,841	360,742 347,609	220,328	48.15%	61.08%	1,851	138,563	30.28% 37.18%
December	806	427,823 446,068	80,214 92,092	353,976	185,299 165,833	43.31% 37.18%	53.31% 46.85%	3,246 2,204	159,064 185,939	41.68%
January	914	516.158	100.636	415,522	60,682	11.76%	14.60%	3,344	351,496	68.10%
February	310	172,886	30,594	142,292	-	0.00%	0.00%	-	142,292	82.30%
March										
April										
May June										
July										
August										
FY2004-05 Total	4,544	2,517,632	501,747	2,015,885	869,862	34.55%	43.15%	15,477	1,130,546	44.91%
Non-Emergency:										
Manuali	Total									_
Month		Amount	Contractual	Collectable	Amount	Collection	Collection	Write	Remaining	Percent
	Bills	Billed	Reductions	Amount	Collected	% of Gross	% of Net	Offs	Remaining Accounts Rec	Remaining
FY2000-01 Total										
FY2000-01 Total	Bills	Billed	Reductions	Amount	Collected	% of Gross	% of Net	Offs	Accounts Rec	Remaining
	Bills 1,633	750,531	Reductions 279,174	Amount 471,357	Collected 383,802	% of Gross 51.14%	% of Net 81.42%	Offs 87,555	Accounts Rec	Remaining 0.00%
FY2001-02 Total  FY 2002-03 September	1,633 2,189	750,531 1,065,522 56,319	279,174 402,525 16,747	Amount  471,357  662,997  39,572	383,802 565,995 36,110	% of Gross 51.14% 53.12% 64.12%	% of Net 81.42% 85.37% 91.25%	Offs 87,555 97,002 3,462	Accounts Rec	0.00% 0.00% 0.00%
FY 2002-03 September October	1,633 2,189 140 199	750,531 1,065,522 56,319 85,725	279,174 402,525 16,747 28,758	Amount  471,357  662,997  39,572 56,967	383,802 565,995 36,110 47,540	% of Gross 51.14% 53.12% 64.12% 55.46%	% of Net 81.42% 85.37% 91.25% 83.45%	Offs 87,555 97,002 3,462 9,427	Accounts Rec	0.00% 0.00% 0.00% 0.00% 0.00%
FY2001-02 Total  FY 2002-03 September October November	1,633 2,189 140 199 171	750,531 1,065,522 56,319 85,725 77,898	279,174 402,525 16,747 28,758 22,824	Amount  471,357  662,997  39,572 56,967 55,074	Section 2018	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05%	Offs 87,555 97,002 3,462 9,427 8,784	Accounts Rec	0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00%
FY2001-02 Total  FY 2002-03 September October November December	Bills  1,633  2,189  140 199 171 200	56,319 85,725 77,898 81,937	279,174 402,525 16,747 28,758 22,824 24,932	Amount 471,357 662,997 39,572 56,967 55,074 57,005	Collected  383,802  565,995  36,110  47,540  46,290  51,231	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05% 89.87%	Offs 87,555 97,002 3,462 9,427 8,784 5,774	Accounts Rec	0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00%
FY2001-02 Total  FY 2002-03 September October November	1,633 2,189 140 199 171	750,531 1,065,522 56,319 85,725 77,898	279,174 402,525 16,747 28,758 22,824	Amount  471,357  662,997  39,572 56,967 55,074	Section 2018	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05%	Offs 87,555 97,002 3,462 9,427 8,784	Accounts Rec	0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00%
FY2001-02 Total  FY 2002-03 September October November December January	1,633 2,189 140 199 171 200 209	56,319 85,725 77,898 81,937 86,852	279,174 402,525 16,747 28,758 22,824 24,932 28,485	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367	383,802 565,995 36,110 47,540 46,290 51,231 50,140	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05% 89.87% 85.90%	Offs 87,555 97,002 3,462 9,427 8,784 5,774 8,227	Accounts Rec	0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00% 0.00%
FY2001-02 Total  FY 2002-03 September October November December January February March April	1,633 2,189 140 199 171 200 209 167 198 145	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446	Collected  383,802  565,995  36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 59.82%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664	Accounts Rec	Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%
FY 2002-03 September October November December January February March	1,633 2,189 140 199 171 200 209 167 198 145 129	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 45,782 31,999	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 59.82% 58.38%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June	1,633 2,189 140 199 171 200 209 167 198 145 129 131	56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 59.82% 58.38% 64.31%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11%	Offs 87,555 97,002 3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  5.51%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July	1,633 2,189 140 199 171 200 209 167 198 145 129 131	56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,762 31,999 36,847 40,527	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 59.82% 58.38% 64.31% 66.62%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  3.34%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June	1,633 2,189 140 199 171 200 209 167 198 145 129 131	56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 59.82% 58.38% 64.31%	% of Net 81.42% 85.37% 91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  5.51%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total	1,633 2,189 140 199 171 200 209 167 198 145 129 131 145 126	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,380 17,297 17,255 16,207	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 59.82% 58.38% 64.31% 66.62% 58.80%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  3.34%  8.16%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August	1,633 2,189 140 199 171 200 209 167 198 145 129 131 145 126 1,960	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255 16,207 246,658	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908	383,802 565,995 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967 489,993	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 59.82% 58.38% 64.31% 66.62% 58.80% 60.08%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  3.34%  8.16%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total  FY 2003-04	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,380 17,297 17,255 16,207 246,658	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908	Collected  383,802  565,995  36,110  47,540  46,290  51,231  50,140  37,396  46,164  35,782  31,999  36,847  40,527  29,967  489,993  35,635  30,695	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.34% 59.82% 58.38% 64.31% 66.62% 58.80% 60.08%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%  5.95%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total  FY 2003-04 September October November	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99	Billed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255 16,207 246,658  19,253 15,824 10,536	Amount 471,357 662,997 39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908 39,109 35,870 32,386	Collected  383,802  565,995  36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967 489,993  35,635 30,695 28,471	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 66.62% 58.38% 60.08% 61.06% 59.38% 66.33%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.99% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%  5.95%  7.66%  7.15%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total FY 2003-04 September October November December	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99 118	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922 49,024	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,380 17,297 17,255 16,207 246,658  19,253 15,824 10,536 12,426	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908  39,109 35,870 32,386 36,598	Collected  383,802  565,995  36,110  47,540  46,290  51,231  50,140  37,396  46,164  35,782  31,999  36,847  40,527  29,967  489,993  35,635  30,695  28,471  31,588	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 64.31% 66.62% 58.80% 60.08%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 88.97% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91% 86.31%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571  - 1,217 846 1,950		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%  5.95%  7.66%  7.15%  6.24%
FY 2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY 2003-04 September October November December January	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99 118	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922 49,024 41,919	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255 16,207 246,658  19,253 15,824 10,536 12,426 14,203	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908  39,109 35,870 32,386 36,598 27,716	Collected  383,802  565,995  36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967 489,993  35,635 30,695 28,471 31,588 21,129	% of Gross  51.14%  53.12%  64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 59.82% 64.31% 66.62% 60.08%  61.06% 59.38% 66.33% 64.43% 50.40%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91% 86.31% 76.23%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.115%  5.95%  7.16%  6.24%  14.74%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total FY 2003-04 September October November December January February	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99 118 101 7	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922 49,024 41,919 3,774	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255 16,207 246,658  19,253 15,824 10,536 12,426 14,203 1,069	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908  39,109 35,870 32,386 36,598 27,716 2,705	Collected  383,802  565,995  36,110 47,540 46,290 51,231 50,140 37,396 46,164 45,782 31,999 36,847 40,527 29,967 489,993  35,635 30,695 28,471 31,588 21,129 2,704	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 66.62% 58.38% 64.31% 66.62% 59.38% 61.06% 59.38% 66.33% 64.43% 50.40% 71.65%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.99% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91% 86.31% 76.23% 99.96%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571  - 1,217 846 1,950		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%  5.95%  7.66%  7.15%  6.24%  14.74%  0.00%
FY 2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY 2003-04 September October November December January	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99 118	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922 49,024 41,919	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,360 17,297 17,255 16,207 246,658  19,253 15,824 10,536 12,426 14,203	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908  39,109 35,870 32,386 36,598 27,716 2,705 1,964	Collected  383,802  565,995  36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967 489,993  35,635 30,695 28,471 31,588 21,129	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 64.31% 66.62% 58.80% 60.08% 61.06% 59.38% 64.33% 64.43% 50.40% 71.65% 75.96%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 89.87% 85.90% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91% 86.31% 76.23%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571  - 1,217 846 1,950		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%
FY2001-02 Total  FY 2002-03 September October November December January February March April May June July August FY2002-03 Total  FY 2003-04 September October November December January February March	Bills  1,633  2,189  140 199 171 200 209 167 198 145 129 131 145 126 1,960  139 126 99 118 101 7 6	8illed 750,531 1,065,522 56,319 85,725 77,898 81,937 86,852 63,981 79,128 59,819 54,812 57,300 60,831 50,964 815,566 58,362 51,694 42,922 49,024 41,919 3,774 2,126	Reductions  279,174  402,525  16,747 28,758 22,824 24,932 28,485 20,286 26,134 13,373 14,380 17,297 17,255 16,207 246,658  19,253 15,824 10,536 12,426 14,203 1,069 162	Amount  471,357  662,997  39,572 56,967 55,074 57,005 58,367 43,695 52,994 46,446 40,452 40,003 43,576 34,757 568,908  39,109 35,870 32,386 36,598 27,716 2,705	383,802 36,110 47,540 46,290 51,231 50,140 37,396 46,164 35,782 31,999 36,847 40,527 29,967 489,993 35,635 30,695 28,471 31,588 21,129 2,704 1,615	% of Gross 51.14% 53.12% 64.12% 55.46% 59.42% 62.52% 57.73% 58.45% 58.34% 66.62% 58.38% 64.31% 66.62% 59.38% 61.06% 59.38% 66.33% 64.43% 50.40% 71.65%	% of Net  81.42%  85.37%  91.25% 83.45% 84.05% 88.97% 85.58% 87.11% 77.04% 79.10% 92.11% 93.00% 86.22% 86.13%  91.12% 85.57% 87.91% 86.31% 76.23% 99.96% 82.23%	Offs  87,555  97,002  3,462 9,427 8,784 5,774 8,227 6,299 6,830 10,664 8,453 - 1,019 632 69,571  - 1,217 846 1,950		Remaining  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  0.00%  1.15%  5.95%  7.66%  7.15%  6.24%  14.74%  0.00%  16.42%

July	-	-	-	-	-			-	-	
August	-	-	-	-	-			-	-	
FY2003-04 Total	606	252,897	74,026	178,871	154,360	61.04%	86.30%	4,421	20,089	7.94%

Total										
Month	Total Bills	Amount Billed	Contractual Reductions	Collectable Amount	Amount Collected	Collection % of Gross	Collection % of Net	Write Offs	Remaining Accounts Rec	Percent Remaining
FY2000-01 Total	8,203	4,225,761	869,287	3,356,474	2,721,533	64.40%	81.08%	634,941	-	0.00%
FY2001-02 Total	12,047	6,245,356	1,370,085	4,875,271	3,976,830	63.68%	81.57%	898,441	-	0.00%
FY 2002-03										
September	978	481,124	100,023	381,101	312,908	65.04%	82.11%	68,193	-	0.00%
October	1,043	511,654	108,734	402,920	325,599	63.64%	80.81%	77,321	-	0.00%
November	993	506,824	109,650	397,174	323,119	63.75%	81.35%	74,055	-	0.00%
December	1,030	510,768	110,317	400,451	340,686	66.70%	85.08%	59,765	-	0.00%
January	998	494,122	120,598	373,524	314,403	63.63%	84.17%	59,121	-	0.00%
February	964	478,136	108,718	369,418	309,966	64.83%	83.91%	59,452	-	0.00%
March	1,046	509,294	118,707	390,587	321,827	63.19%	82.40%	68,760	-	0.00%
April	996	491,637	99,169	392,468	309,457	62.94%	78.85%	83,011	-	0.00%
May	1,011	498,197	101,725	396,472	308,553	61.93%	77.82%	87,919	-	0.00%
June	912	442,896	94,794	348,102	277,707	62.70%	79.78%	3,135	67,260	15.19%
July	967	477,919	103,874	374,045	287,523	60.16%	76.87%	6,261	80,261	16.79%
August	1,036	519,928	114,451	405,477	328,421	63.17%	81.00%	4,041	73,015	14.04%
FY2002-03 Total	11,974	5,922,499	1,290,760	4,631,739	3,760,169	63.49%	81.18%	651,034	220,536	3.72%
FY 2003-04										
September	931	457,552	102,919	354,633	292,373	63.90%	82.44%	4,571	57,689	12.61%
October	1,024	504,658	108,336	396,322	321,642	63.73%	81.16%	4,462	70,218	13.91%
November	959	479,119	101,750	377,369	299,378	62.49%	79.33%	5,921	72,070	15.04%
December	1,054	523,125	118,048	405,077	324,622	62.05%	80.14%	8,657	71,798	13.72%
January	974	497,775	122,092	375,683	291,186	58.50%	77.51%	6,653	77,844	15.64%
February	839	443,450	113,043	330,407	259,752	58.58%	78.62%	4,786	65,869	14.85%
March	722	388,592	94,374	294,218	233,734	60.15%	79.44%	4,039	56,445	14.53%
April	761	400,236	94,385	305,851	233,425	58.32%	76.32%	1,846	70,580	17.63%
May	852	443,881	96,918	346,963	254,050	57.23%	73.22%	2,205	90,708	20.44%
June	857	455,539	101,982	353,557	254,590	55.89%	72.01%	2,622	96,345	21.15%
July	899	477,808	96,999	380,809	267,707	56.03%	70.30%	9,527	103,575	21.68%
August	870	466,677	98,585	368,092	243,783	52.24%	66.23%	5,567	118,742	25.44%
FY2003-04 Total	10,742	5,538,412	1,249,431	4,288,981	3,276,242	59.15%	76.39%	60,856	951,883	17.19%
FY 2004-05										
September	897	497,114	101,370	395,744	237,720	47.82%	60.07%	4,832	153,192	30.82%
October	843	457,583	96,841	360,742	220,328	48.15%	61.08%	1,851	138,563	30.28%
November	774	427,823	80,214	347,609	185,299	43.31%	53.31%	3,246	159,064	37.18%
December	806	446,068	92,092	353,976	165,833	37.18%	46.85%	2,204	185,939	41.68%
January	914	516,158	100,636	415,522	60,682	11.76%	14.60%	3,344	351,496	68.10%
February	310	172,886	30,594	142,292	-	0.00%	0.00%	-	142,292	82.30%
March	-									
April	-									
May	-									
June	-									
July	-									
August		0.547.0	504 7:-	0.045.05-	200.0	0.4.55**	10.150		4 400 5 :-	440:
FY2004-05 Total	4,544	2,517,632	501,747	2,015,885	869,862	34.55%	43.15%	15,477	1,130,546	44.91%

Note: The Amount collected for the first twenty months (1-1-2001 to 8-31-2002) does not reflect a reduction of the \$100,000 refunded to Medicare as result of the compliance audit. If that amount were included, the net collections will approximate 63.5% for the first twenty months.



### MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

City Controller's Office Finance Department Don Herz, Director 555 South 10th Street Suite 103 Lincoln, Nebraska 68508 402-441-7421 fax: 402-441-8325 The Honorable Mayor And Members of the City Council Lincoln, Nebraska

I have performed the procedures as required by Revenue Ruling 35-96-3 published by the Nebraska Department of Revenue, Charitable Gaming Division, which were agreed to by the City of Lincoln and the Nebraska Department of Revenue, solely to assist the specified users in evaluating the City of Lincoln's compliance with the Nebraska County and City Lottery Act and County and City Lottery Regulations during the quarter ended December 31, 2004. The sufficiency of these procedures is solely the responsibility of the specified users of the report.

Sample sizes exceeded the minimum required and additional procedures were performed as determined necessary by the City of Lincoln's level of keno activity and are summarized as follows:

Audit Procedure	<u>Sample</u>	Required
• Review videotapes of ball draws.	142 games	15 games
• Review winning tickets of \$1,500 and over.	100% (56 tickets)	100% (up to 23)
Review paid tickets	200 tickets	23 tickets
• Review void tickets.	100 tickets	23 tickets
• Trace paid tickets to the transaction log.	50 tickets	23 tickets
• Verify the accuracy of the transaction log.	3 days	1 shift
• Recalculate the prize reserve balance and reconcile to prize bank accounts.	Monthly	Not required
• Verify that lottery worker applications have been filed with the State for all employees performing work directly related to the conduct of the lottery.	100%	Not required



During the performance of the required procedures and additional testing noted above, no findings were noted except the following:

Regulation: Nebraska County And City Lottery Act, Section 9-646.01

Condition: On October 26, 2004, a keno writer at Heidelberg's South extended

credit to a keno player for the purchase of three keno tickets totaling

\$11.10.

Criteria: The Nebraska County and City Lottery Act, Section 9-646.01

prohibits the extension of credit from the gross proceeds of the lottery

for the purchase of lottery tickets.

Cause: The keno writer wrote the three tickets on credit while awaiting

approval from the main site for a \$300 winning ticket the player had

presented for payment.

Effect: Credit was extended to the keno player from the gross proceeds of

the lottery causing the keno writer's drawer to be short \$11.10.

Additional Facts: The extension of credit was observed by a Big Red Keno manager

and reported to the Lincoln Police Department. The keno writer was cited by the Lincoln Police Department. Big Red Keno removed the

keno writer from the keno computer system.

This report is intended solely for the information and use of officials of the City of Lincoln, the management of Lincoln's Big Red Lottery Services Ltd. and the Nebraska Department of Revenue and is not intended to be and should not be used by anyone other than these specified parties.

Mark Leikam

Mark Leikan

City of Lincoln Keno Auditor

March 14, 2005

RESOLUTION	ON NO. A
BE IT HEREBY RESOLVED BY	THE CITY COUNCIL of the City of
Lincoln, Nebraska:	
That the attached list of investment	s be confirmed and approved, and the City
Treasurer is hereby directed to hold	said investments until maturity unless
otherwise directed by the City Cour	ncil.
INTRODUCED BY:	
Approved:  Don Herz, Finance Director	
	Approved this day of, 2005
	Mayor

# FINANCE DEPARTMENT TREASURER OF LINCOLN, NEBRASKA INVESTMENTS PURCHASED MARCH 7 thru MARCH 11, 2005

March 7, 2005, we cashed \$123,000 from the First American Government Obligation Fund at U.S. Bank out of the Short Term Fund. We then invested \$100,000 in the Repurchase Agreement at Wells Fargo Bank.

March 8, 2005, we cashed \$105,000 from the First American Government Obligation Fund at U.S. Bank. We then invested \$165,000 as follows:

\$15,000	Nebraska Public Agency Investment Trust at Union Bank
\$150,000	Repurchase Agreement at Wells Fargo Bank

Due to a surplus of funds in the Short Term Pool, on March 9, 2005, we invested \$330,000 as follows:

\$155,000	First American Government Obligation Fund at U.S. Bank
\$150,000	Repurchase Agreement at Wells Fargo Bank
\$25,000	Nebraska Public Agency Investment Trust at Union Bank

March 10, 2005, an investment of \$3,000,000 matured, we cashed it along with \$94,000 from the First American Government Obligation Fund at U.S. Bank, in the Short Term Pool. We then invested \$1,200,000 in the Repurchase Agreement at Wells Fargo Bank.

Due to a surplus of funds in the Short Term Pool, on March 11, 2005, we invested \$1,087,000 as follows:

\$175,000	Repurchase Agreement at Wells Fargo Bank
\$912,000	First American Government Obligation Fund at U.S. Bank

We respectfully request approval of our actions.

Don Herz, Finance Director

Melinda J. Jones, City Treasurer

### OFFICE OF TREASURER, CITY OF LINCOLN, NEBRASKA

### March 15, 2005

TO: Mayor Coleen Seng & City Council Members

FROM: Finance Department/City Treasurer

SUBJECT: MONTHLY CITY CASH REPORT

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

The records of this office show me to be charged with City cash as follows at the close of business February 28, 2005:

Balance Forward	\$	244,604,713.10
Plus Total Debits February 1 - 28, 2005	\$	23,135,132.11
Less Total Credits February 1 - 28, 2005	<u>\$</u>	(28,767,707.21)
Cash Balance on February 28, 2005	\$	238,972,138.00

I desire to report that such City cash was held by me as follows which I will deem satisfactory unless advised and further directed in the matter by you.

U.S. Bank Nebraska, N.A	\$	322,209.98
Wells Fargo Bank	\$	39,477.63
Union Bank & Trust Company	\$	86,381.60
Pinnacle Bank	\$	9,093.25
Cornhusker	\$	19,318.24
West Gate Bank	\$	(17,749.93)
Wells Fargo Bank Credit Card Bank Account	\$	481.17
Idle Funds - Short-Term Pool	\$	49,405,862.25
Idle Funds -Medium-Term Pool	\$	188,292,225.48
Cash, Checks and Warrants	<u>\$</u>	814,838.33
Total Cash on Hand February 28, 2005	<u>\$</u>	238,972,138.00

The negative bank balances shown above do not represent the City as overdrawn in these bank accounts. In order to maximize interest earned on all City funds, deposits have been invested prior to the Departments' notification to the City Treasurer's office of these deposits; therefore, these deposits are not recorded in the City Treasurer's bank account balances at month end.

I also hold as City Treasurer, securities in the amount of \$26,458,632.98 representing authorized investments of the City's funds.

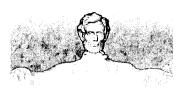
ATTEST:

Melinda I Iones City Treasure

# CITY OF LINCOLN - PLEDGED COLLATERAL STATEMENT FEBRUARY 28, 2005

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARK	MARKET VALUE
FHLMC FGLMC D67795	3128F7UU6	01Dec09	\$ 1,191,991.00	\$ 105,256.31	1.07	↔	112,834.12
FHLMC FGTW C90689	31335HXS7	01Jul23	\$ 11,150,000.00	\$ 9,808,113.11	0.98	↔	9,637,980.60
FNMA FNARM 303824	31373UPH4	01Jul25	1,600,000.00	\$ 58,512.38	1.03	\$	60,366.87
FNMA FNCL538363	31385AB89	01Apr30	\$ 550,000.00	\$ 61,938.36	1.08	\$	67,079.24
FNMA FNCL 254725	31371K4J7	01May33	\$ 500,000.00	\$ 400,570.54	66′	\$	398,174.73
FNMA FNCI 682970	31400BW77	01Feb18	\$ 7,100,000.00	\$ 4,759,156.63	66.	\$	4,732,776.14
GNMA-2 G2JO 3156	36202DQH7	20Nov16	\$ 2,550,000.00	\$ 907,683.34	1.03	\$	938,990.15
GNMA-2 G2JO 3194	36202DRP8	20Feb17	\$ 4,130,000.00	\$ 1,769,983.69	1.03	\$	1,830,817.85
FNMA FNCL 254592	31371KXV8	01Dec32	\$ 3,100,000.00	\$ 2,166,395.48	66.	\$	2,155,206.04
US BANK NE		TOTAL PLEDGED	\$ 31,871,991.00	\$ 20,037,609.84			
FNCL 535771 6.00%	31384WFL9	01Feb31	\$ 8,200,000.00	\$ 1,345,480.60		\$	1,354,952.53
FGCI EO1490 5.00%	31294KUP8	01Nov18	\$ 350,000.00	\$ 286,685.34		\$	285,137.25
FNCL 729001 5.50%	31402G3J0	01Aug33	\$ 2,050,000.00	\$ 1,635,614.68		↔	1,635,045.94
FNCL 759855 5.50%	31403WE45	01Feb34	\$ 1,250,000.00	\$ 1,073,490.96	111111111111111111111111111111111111111	\$	1,072,460.36
FNCL 773591 5.50%	31404NNG7	01Jul34	11,600,000.00	\$ 10,756,330.14		↔	10,787,821.91
FNCL 555285 6.00%	31385W2S7	01Mar33	\$ 17,005,000.00	\$ 5,659,772.78		↔	5,653,743.85
FNCT 255047 5.5%	31371LHY8	01Dec23	\$ 350,000.00	\$ 291,523.69		↔	290,941.16
FGCI G11540 5.00%	31283KV96	01Apr19	3,800,000.00	\$ 3,203,727.10		\$	3,183,232.64
FNCL 666295 6.00%	31391GGC4	01Nov32	\$ 8,650,000.00	\$ 1,673,412.05		\$	1,662,711.64
FNCL 545277 6.00%	31385HXE7	01Nov31	\$ 5,400,000.00	\$ 886,819.00		\$	890,497.93
FNCL 615057 6.00%	31388UJA9	01Jan32	\$ 5,000,000.00	\$ 1,270,971.65		₩	1,260,193.25
FNCL 622169 6.00%	31389DFJ1	01Dec31	\$ 2,200,000.00	\$ 440,362.85		€	432,382.99
GNSF 781210 6.50%	36225BKX5	15Sep29	\$ 8,700,000.00	\$ 1,137,551.62		↔	1,157,520.95
FNCL 323715 6%	31374TSC4	01May29	\$ 10,500,000.00	\$ 1,586,608.27		₩	1,588,601.24
FNCL 323605 6.50%	31374TNW5	01Mar29	\$ 2,400,000.00	\$ 229,117,42	7 1111 1111 1111 1111 1111 1111 1111 1111	\$	232,914.54
WELLS FARGO BANK NE	mm.mai.eAummah	TOTAL PLEDGED	\$ 87,455,000.00	\$ 31,477,468.15		\$	31,488,158.18
US Treasury 6.50%	912827T85	15May05	\$ 250,000.00	*** - emropinyminaryonassassywywas-4-H4-La-Addus-and-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A-A			
FARM CREDIT NOTE 5%	31331LGY8	10May04	\$ 250,000.00	***************************************	7 77.00		
UNION BANK LINCOLN		TOTAL PLEDGED	\$ 500,000.00	**************************************	Administration of the state of		
FHLB BOND 3.05%	3133X4X63	28Mar07	\$ 3,000,000.00	\$3,000,000.00			
FNMA Pool #253819	31371J4C5	01May11	1,025,000.00	\$995,861.61	THE THE STATE OF T		

DESCRIPTION	CUSIP	MATURITY DATE	ORIGINAL FACE	CURRENT PAR	MARKET PRICE	MARKET VALUE
CORNHUSKER BANK	The state of the s	TOTAL PLEDGED	\$ 4,025,000.00	\$3,995,861.61	The state of the s	
FHLB Step Up 2.4%	31339XUE2	09Jan09	\$ 2,000,000.00		Programming the state of the st	
FHLB Step-Up 2.125%	31339YDB5	23Jul09	\$ 2,000,000.00			Control of the contro
FHLB Step Up 2.25%	31339XM43	30Jun08	\$ 2,000,000.00		THE ROOM OF THE PROPERTY OF TH	THE PROPERTY OF THE PROPERTY O
FHLB 2.50% to 5/05, then 5.25	3133MYQG5	19Nov08	\$ 500,000,00			
WEST GATE BANK	T T THE THE THE THE THE THE THE THE THE	TOTAL PLEDGED	\$ 6,500,000.00			
CD 1.85%	03-00072788	23Mar05	\$ 2,000,000.00			
TIER ONE BANK		TOTAL PLEDGED	\$ 2,000,000.00		AVAILABLE DE LA COLOR DE LA CO	THE PARTY AND ADDRESS OF THE PARTY AND ADDRESS
					ATTENDED TO THE PARTY OF THE PA	THE REAL PROPERTY OF THE PROPE



### CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Mary F. Bills-Strand, Chair City-County Planning Commission

> 555 South 10th Street Suite 213 Lincoln, Nebraska 68508 402-441-7491 fax: 402-441-6377

March 10, 2005

W. Cecil Steward, President/CEO Joslyn Castle Institute for Sustainable Communities 125 N. 11<sup>th</sup> Street Lincoln, Nebraska 68508

Dear Mr. Steward:

The Lincoln-Lancaster County Planning Department was pleased to learn that your grant application to the Nebraska Environmental Trust for assistance in continuing the Joslyn Castle Institute's regional planning and coordination activities was accepted. The Planning Department agrees to contribute \$10,000 from our current year budget as a part of the local matching funds that we understand are required by the grantor.

As you know, the Planning Department did contribute matching funds in support of the previous three-year initiative by JCI, and we have been an active "local partner" in the work of your institution. The Comprehensive Plan adopted by the City of Lincoln and Lancaster County recognizes the need for more dialogue between all the stakeholders in the Lincoln-Omaha region, and calls for more coordinated regional planning. Your institution has provided an important service by providing mechanisms for that dialogue and coordination to occur, and we look forward to working with you on the activities outlined in your grant application. I understand that you have expectations of similar pledges of local support from Omaha, Council Bluffs, Douglas and Sarpy County, the Natural Resources Districts, plus smaller cities, private organizations and individuals. This demonstrates the number of stakeholders who appreciate the role of your organization in helping us work together toward common goals.

Sincerely

Marvin S. Krout, Director

Lincoln-Lancaster County Planning Department

CC:

Mayor Coleen Seng

Lincoln City Council

**Lancaster County Board of Commissioners** 

Planning Commission

x:\files\plan\budget\2004-05\JCl



### **Memorandum**

**To:** City Council

From: Randy Hoskins, City Traffic Engineer

**Date:** March 15, 2005

**Subject:** Appeal of Use Permit No. 148

On March 2, 2005, the Planning Commission approved Use Permit No. 148 and allowed direct access to and from the property (King Crest) on 27<sup>th</sup> Street. This break in the control of access has raised several concerns for the Public Works and Utilities Department.

Prior to the construction of 27<sup>th</sup> Street to its current configuration, good land planning was practiced and control of access was purchased for the entire stretch of the roadway from Superior Street to Interstate 80, including the subject property. This purchase of access control was done to ensure that no driveways would be made onto 27<sup>th</sup> Street, requiring proper internal circulation layouts for developments, since 27<sup>th</sup> Street was expected to be a major traffic carrying arterial street. The fact that the King Crest property would not be allowed access was clearly noted in recorded documents. Access to the site, as a residential property, was granted through an easement that led out to Folkways Boulevard.

Access to this site as a commercial property was to have been accomplished through an internal roadway system within the King Ridge development. It was assumed that additional grading would be done to the property to allow it to be at nearly the same grade as the surrounding properties. Instead, this lot is developing separately at a higher elevation than the surrounding properties, which prompted concerns by the developer as to access to the King Crest site.

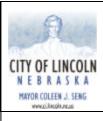
In working with Olsson Associates, the engineer for the King Ridge development, a suitable means of access was worked out to the internal street system for the King Crest site and the existing T. O. Haas Tire store. While the applicant would undoubtedly prefer to reacquire direct access to  $27^{th}$  Street, the newly proposed route actually creates a shorter distance to get to the King Crest lot than the previous version of the King Ridge development access would have required.

The access to the King Crest site will be no different than other development along 27<sup>th</sup> Street north of Superior. There are no driveways with direct access to 27<sup>th</sup> Street serving retail sites along this whole stretch. Access to individual businesses is gained by using the platted streets, either public or private, and then branching off into individual establishments.

In this area, 27<sup>th</sup> Street currently carries about 17,000 trips per day, with significant undeveloped areas remaining along the corridor. The King Ridge Development will create over 21,000 new trips per day to this area at build-out, many of which will access the site via 27<sup>th</sup> Street. To put this in perspective, Interstate 80 carries about 28,000 to 33,000 vehicles per day. In order to be able to handle the expected future volumes of traffic, the efficiency and safety of this corridor

must not be compromised through the addition of driveways.

There are many commercial properties that have been developed along  $27^{th}$  Street without direct access. To single out one lot and allow the access control to be broken will undoubtedly bring more requests for driveways as a fairness issue, thereby further diminishing the traffic carrying capacity and safety of North  $27^{th}$  Street. This would also tend to erode the careful previous planning for good access control and safe access to all the retail and residential sites.



### Salt Creek Floodplain Mapping Update

### **Project Overview**



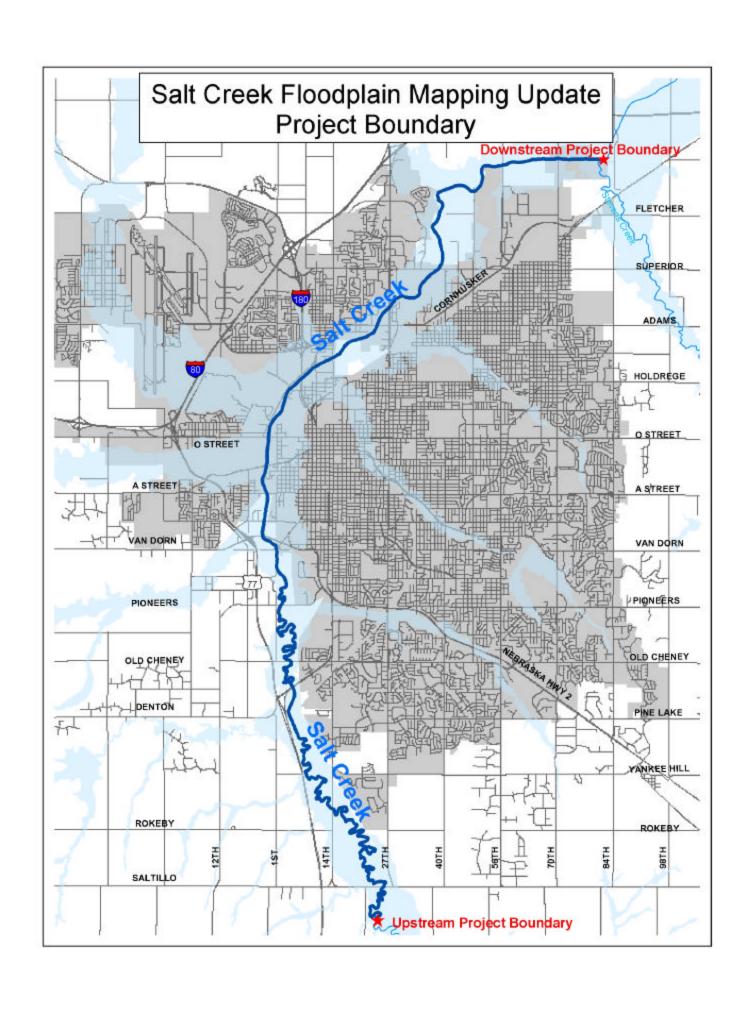
The Federal Emergency Management Agency (FEMA) is undertaking a comprehensive, multi-year initiative to update aging flood hazard maps for communities across the country. As part of this Federal program, FEMA is partnering with the City of Lincoln in cooperation with the Lower Platte South NRD to develop more accurate floodplain information for various streams and channels within the City and its future growth areas, including Salt Creek.

The current FEMA floodplain for Salt Creek is outdated, having been initially developed by the Corps of Engineers in the late 1970's. This was recognized by the Mayor's Floodplain Task Force, which recommended a new, comprehensive floodplain study and FEMA floodplain mapping effort for Salt Creek. The Salt Creek mapping update will produce revised FEMA floodplain maps for Salt Creek using the latest technology and data available to accurately reflect Salt Creek's floodplain. This information will assist in efforts to protect homes and businesses from flood hazards and provide guidance for future development adjacent to the channel.

The mapping project is expected to take approximately one year and to be completed in early 2006. FEMA will then incorporate this information into a more comprehensive, updated digital floodplain map for the City of Lincoln. It is anticipated to take a year or more following the completion of the Salt Creek study for FEMA's formal process before the revised Salt Creek floodplain is reflected on the official FEMA floodplain maps.

The project will include the following major components:

- Updating the FEMA floodplain and floodway maps extending from approximately ½ mile south of Saltillo Road to the confluence with Stevens Creek. (See figure on reverse side).
- Addressing the Salt Creek flood storage areas as they relate to the floodway boundary.
- A series of 3 open houses to provide information regarding the status of the study: 1) to describe the goals and objectives of the project; 2) to present and receive feedback on draft floodplain and floodway boundaries; and 3) to display the floodplain and floodway boundaries that incorporate FEMA review comments prior to adoption by the City of Lincoln.
- A visual presentation that communicates the goals and objectives of the project to be used at the open houses, and to be made available by the project team to various neighborhood associations, business groups, civic organizations, and other interest groups.
- Several interest group meetings to discuss the draft floodplain and floodway maps and answer questions from groups that share similar concerns.



# Combined Weed Program City of Lincoln February 2005 Monthly Report

### **Weed Awareness**

The annual Weed Awareness insert was published in the UNL Cooperative Extension Service in Lancaster County NEBline. It included the 2004 annual report, saltcedar being added as a noxious weed, purple loosestrife in Lincoln's streams, new weed control legislation and how to control noxious weeds. Copies of the inserts are available at the Weed Control Authority office. A special mailing will be made to over 800 homeowners that had ornamental purple loosestrife planted in their yards. They will be thanked for removing these plants, making them aware of the wild plants that have



Taylor Park

germinated in Lincoln streams and to encourage them to participate in the campaign for removal from all yards and to report any wild plants observed in drainages.

### Lower Platte Weed Management Area

The 10 counties in the Lower Platte River Watershed, which includes Lancaster County, have joined together to combat noxious weeds and invasive plants. A strong effort has been initiated to control some aggressive newly invading plants. They are purple loosestrife, saltcedar and phragmites (common reed). All

three are invaders of riparian areas and present special challenges. They are all spread from upstream sources. It is very important that plants be controlled in the upper reaches of the watershed before they become established along the major streams. Grant funds were obtained in 2004 to help with the



Saltcedar

to help with the control of these targeted invaders along the Platte and Missouri Rivers. Over 1500 acres of small infestations were treated. Grant funds and other sources of funds are being sought in 2005 to treat these invaders throughout the watershed.

### February Activities

- 8 8:30 Commons Mtg Annual Report11:45 County Staff Meeting5:30 LPSNRD Meeting
- 17 LPWMA Steering Committee
- 10 7:30 Mgt Team Mtg
- 22-24 NWCA Conference North Platte
- 28 Monthly activity report

### March Planned Activities

- 10 SE NACO Meeting
- 17 Lower Loup NRD
- 22 Phragmites meeting, Grand Island
- 24 LPWMA Meeting
- 25 FY2002 budget to B&F Division
- 27 Publish general notice



### M E M O R A N D U M

**To:** Patt e New man

From: Lynn Johnson, Parks & Recreation

**Date:** March 14, 2005

Subject: RFI Regarding Woods Tennis Center

cc: City Council Members

Mayor Coleen Seng

The purpose of this memo is to respond to your recent RFI regarding the Woods Tennis Center.

### **Background**:

In 1974 a feasibility study was prepared to address the need for a tennis center in Lincoln. This study proposed development of 23 tennis courts in Woods Park (6 indoor courts and 17 outdoor courts).

The City encouraged tennis enthusiasts to develop a strategy to find private funding to develop a tennis center in Woods Park. In 1985, the Woods Tennis Corporation (WTC) was formed with the intent of generating funding through a group of investors to create an indoor tennis center. These investors provided \$300,500 to fund improvements to the tennis center, and to cover operating deficits during years when expenses exceeded revenues. Later that year, the City contracted with WTC to construct covers for up to six courts and to manage operation of the Woods Tennis Center from October to May each year for a period of 10 years. The agreement included an option for a five-year renewal after the initial contract period. The agreement also included a provision whereby the investors would be reimbursed for their initial investment plus interest. (During the past 20 years the Woods Tennis Center has generated sufficient revenue to allow investors to be paid \$32 for each \$200 invested.) The WTC erected an air structure ("bubble") over three of the existing tennis courts and began operation.

In 1986, the former tennis clubhouse building was constructed through donations and in-kind contributions totaling \$113,409. The building was gifted to the City of Lincoln, and the Woods Tennis Center was managed out of it.

In 1988, the City constructed the fourth set of three tennis courts, and the WTC erected an air structure over them at a cost of \$139,600.

In 1992, a new master plan for Woods Park was adopted by the City Council including six additional outdoor tennis courts at the Woods Tennis Center - three west of the existing courts, and three south.

In 1994, a windstorm damaged the west "bubble" and destroyed the east "bubble." The WTC secured a small business administration (SBA) loan of \$120,000 and used this to assist in funding the cost of \$172,685 to repair and replace the "bubbles". The contract between the City and WTC was revised to allow additional time for WTC to recoup the additional replacement costs because of the storm. The new contract term was for ten years, with an optional renewal for an eight-year period.

In October 1997, the "bubbles" were collapsed and damaged as a result of the unseasonable snowstorm. WTC funded repair and restoration of the "bubbles" and tennis court lighting.

In 2001, WTC constructed the fifth set of tennis courts at a cost of \$210,000 utilizing funds donated to the "Park-it-at-Woods" campaign. Also that year, the City approached WTC regarding taking over year-round operation of the facility (including the May through September period). WTC agreed to this change resulting in a savings to the Parks & Recreation Department budget.

In 2003, the City and WTC developed plans for improvements to the entrance and plaza area at the Woods Tennis Center, a new tennis clubhouse meeting ADA requirements, and replacing the aging wading pool at Woods Pool with a "spraygound". The contract was revised to reflect year-round operation of the tennis center by WTC and reducing the required contribution to the CIP in acknowledgment of the disruption caused by construction. This contract was for a one-year period.

In 2004, the contract was extended for one year due to on-going construction.

The current contract extends through March 31, 2005, and WTC has expressed interest in renewing the contract for an extended period consistent with earlier contracts.

### Questions:

Is Woods Tennis Corporation self-supporting?

Yes, WTC is self-supporting. WTC provides for day-to-day operation of the Woods Tennis Center including staffing, utilities, insurance, and regular maintenance of the clubhouse and associated tennis courts.

Please provide details regarding what the WTC provides for maintenance of the courts and what the City of Lincoln contributes:

The current contract with WTC requires that 2% of gross revenues be paid to the City of Lincoln to be placed into a CIP account for future repair and replacement of the tennis clubhouse and associated tennis courts. Previously, the contract required that 5% of gross revenues be paid to the City to be placed into the CIP. As indicated above, the percentage of return was reduced over the past two years due to disruption associated with construction activities.

These funds have been used to replace lighting on three of the outdoor courts, to resurface six of the indoor courts, and to assist with funding construction of the new tennis clubhouse.

Is it true that the WTC contribution to the CIP dropped from 5% to 2%? Yes, the mandatory contribution to the CIP was reduced during the period of construction of the new clubhouse and associated improvements to the Woods Tennis Center. It is anticipated that the mandatory contribution will be increased to at least 5% as part of a new operating agreement now that construction is complete.

Are Lincoln Public Schools, Wesleyan or UNL students charged the same rates as other groups or are there different fees for different organizations and different circumstances? Who decides what prioritization is given?

Per the operating agreement, rates and prices for use of the Woods Tennis Center.

Per the operating agreement, rates and prices for use of the Woods Tennis Center are reviewed and approved by the City. The current operating agreement states that WTC will honor the long-standing joint facility use agreement between the City of Lincoln and Lincoln Public Schools (LPS) by providing outdoor court time free of charge for LPS practices and events. Occasionally, LPS programs have used indoor courts due to inclement weather and are charged at the same rate as individuals with a membership pass. UNL programs have not requested or received a discounted rate. Wesleyan University programs pay for use of the facility at the same rate as individuals with a membership pass.

### Renewal of the Operating Agreement:

As stated above, the initial operating agreement between WTC and the City for improvements and operation of the Woods Tennis Center was established in 1985. The agreement was renewed in 1994 for an extended period, and the agreement has been renewed in one-year increments for the past two years. The WTC and the Parks & Recreation Department will be proposing a new multi-year contract for review and action by the City Council. I believe that this is in the City's interest due to the long-standing relationship between the parties, and in recognition of substantial investment that WTC has made in the Woods Tennis Center.

Please phone me at 441-8265 if you have any additional questions.



To: lincspine@juno.com

cc: CouncilPacket/Notes@Notes

Subject: WalMart

Dear Ms. Lott: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street

Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

---- Forwarded by Joan V Ray/Notes on 03/10/2005 03:15 PM -----



**lincspine@juno.com** 03/10/2005 03:09 PM

To: council@ci.lincoln.ne.us

CC:

Subject: WalMart

Dear Council Members,

I am a resident of the Regent Heights area near the 84th and Adams intersection where there are plans to possibly allow a WalMart to be built. I have some HUGE concerns about the placement of this store.

- 1) There is a school, where our children of Lincoln, attend on a daily basis. A store at this location would greatly jeapordize the safety of those children. I do not have any children at this school, but I am still very concerned.
- 2) Also in relation to the locaction of the school: Has anyone considered the fact that WalMart carries alcohol and the store would potentially be too close to a school?
- 3) As with so many projects in our city, the cart-before-the-horse-mentality tends to reign. Adams street should be improved BEFORE any store is built, not during or after!
- 5) All the other WalMart stores in Lincoln have been built in areas where there were not already homes existing so people had a choice if they wanted to be near it. Why not move the store further north, closer to the Lancaster Event Center?

Please consider my concerns, and thank you very much for your time!

Sincerely,

Ingrid Lott 7941 Zachary Circle Lincoln NE 68507 466-9440 lincspine@juno.com



To: CouncilPacket/Notes@Notes

CC:

Subject: (no subject)

---- Forwarded by Joan V Ray/Notes on 03/11/2005 08:54 AM -----



Moncia Janssen <mjanssen@ci.lincoln. ne.us>

To: jray@ci.lincoln.ne.us

Subject: (no subject)

03/11/2005 08:52 AM

Thank you for responding to my email. I realized that I neglected to stress the importance of maintaining the affordability of the Ride for Five program. I strongly feel that the price needs to remain at the \$5 bus pass and \$10 handivan level, so that low income and disabled individuals can continue to utilize and benefit from this program. I assist several clients who would not be able to afford the transportation if the price were to increase. I do hope that the City Council keeps this in mind as they make this important decision. Thank you so much for your attention to this issue. Sincerely,

Monica Janssen, BA, MHS

The City Council My name is yolanda Renteria I am getting bus pass for my Kids I have a I like getting my passes at the goodneighbor it's close to my house and I like togo there I think if I am not wrong the city council wants to take this pragram away or drop it and I don't think if they dropit will be good for my family or for other families because we use the bus for everything like in my fam my hids go to school and come back home in the bus the school is far from my house and it's hard for them to walk and it you were in my situation would you walk 35 blocks in the snow and cold and for me being a single morn for now its hard because I don't make enough money for them I hope that city council would make a good decision and that is to decide to keep the ride for five.



To: CouncilPacket/Notes@Notes

CC:

Subject: Re: "Ride for Five" Program

---- Forwarded by Joan V Ray/Notes on 03/11/2005 02:17 PM ----



Joan V Rav

To: Patrick Jones <democracy8888@yahoo.com>

Subject: Re: "Ride for Five" Program

Dear Mr. Jones: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Patrick Jones <democracy8888@yahoo.com>



Patrick Jones <democracy8888@yah</pre> oo.com>

03/10/2005 10:45 PM

To: council@ci.lincoln.ne.us, campjon@aol.com, amcroy@ci.lincoln.ne.us,

Terry Werner <twernerlnk@aol.com>

cc: mayor@ci.lincoln.ne.us Subject: "Ride for Five" Program

### Council Members:

I am writing to strongly encourage you to continue to support and fully fund the "Ride for Five" program.

I am a new professor in the History Department and at the Institute for Ethnic Studies at UNL. Much of my own work focuses on issues of social justice and the struggles of working people and people of color in urban America. In my work, I know that access to affordable transportation can often be the crucial link between poor, disabled and working people to employment, housing, shopping and social services. Without this access, these resources can be out of reach for many. The positive impact of this kind of program on individual lives and the broader health of the community is usually profound, and far outpaces the rate of public investment. Without such programs, the delicate balance many working people forge in order to live decent, dignified, self-reliant lives can be upset. I have seen the way a small front-end investment in affordable transportation results in a larger savings for our community down the road.

From what I have come to know from friends and colleagues in local government and in the social service sector here in Lincoln, I am very impressed with the "Ride for Five" program's clear and positive effects on our community. I am concerned that even a modest increase in the program's fee from \$5 a month to \$10 a month, let alone a more dramatic escalation to \$30 a month, will put the service beyond the grasp of many of our community's most needy, and that the consequences of such action will be devastating. While I understand that we are living in difficult economic times and that tough financial decisions often need to be made, I believe that it is important that we not balance our budgets on the backs of the poor and working-class, particularly by cutting funding to a program that is so demonstrably beneficial.

To me, the measure of a humane and decent community, a community that is healthy and secure, is the degree to which it funds basic social services for the poor, working people and the disabled. As we all know, the economic transformations currently rippling through our society often place a significant burden on the poor, working people and the disabled. Right now, many of our fellow community members are spending long hours and expending tremendous effort to earn a basic living wage and provide for their families; they are the foundation of our city. I encourage you to stand with them by refunding the "Ride for Five" program at its current fee rate of \$5 a month.

Sincerely, Dr. Patrick Jones

Patrick D. Jones, Ph.D. Assistant Professor

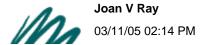
Department of History
Institute for Ethnic Studies
University of Nebraska-Lincoln
Office Email: pjones2@unl.edu
Office Phone: (402) 472-3250
Office Fax: (402) 472-8839

"History does not refer merely, or even principally, to the past. On the contrary, the great force of history comes from the fact that we carry it within us, are unconsciously controlled by it in many ways, and history is literally present in all that we do."

- James Baldwin

Do you Yahoo!?

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To: CouncilPacket/Notes@Notes

cc:

Subject: Re:

---- Forwarded by Joan V Ray/Notes on 03/11/2005 02:18 PM ----



Joan V Ray

To: emkcor@myway.com

CC:

03/11/2005 01:59 PM

Subject: Re:

Dear Mr. Filholm: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"emkcor@myway.com" <emkcor



"emkcor@myway.com" <emkcor

03/11/2005 01:52 PM Please respond to emkcor To: mayor@ci.lincoln.ne.us cc: council@ci.lincoln.ne.us

Subject:

My name is Mark Filholm. I am a volunteer at the Lincoln Action Program.

I am wrighting in regards to the 'Ride For Five' program, which I understand is up for a council vote in the next couple weeks.

I must say I have seen this program work a number of times with our clients here at LAP.

Doctors appointments, and job interviews seem to be the biggest uses of the 'Ride For Five' program.

We at LAP deal with the poorest people in the Lincoln area. These are people who, for various reasons, can-not afford to ride the bus at \$1.00 per trip. This 'Ride For Five' program is the only way many of these people can get to these appointments.

Thank you for your time.

No banners. No pop-ups. No kidding.

Make My Way your home on the Web -! http://www.myway.com



To: CouncilPacket/Notes@Notes

CC:

Subject: Re: "Ride for Five" program

---- Forwarded by Joan V Ray/Notes on 03/11/2005 02:30 PM ----



Joan V Ray

To: Carleen D Sanchez <csanchez2@unlnotes.unl.edu>

To: council@ci.lincoln.ne.us, mayor@ci.lincoln.ne.us

CC:

03/11/2005 02:26 PM

Subject: Re: "Ride for Five" program

Dear Ms. Sanchez: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Carleen D Sanchez <csanchez2@unlnotes.unl.edu>



Carleen D Sanchez <csanchez2@unInotes. unl.edu>

CC

Subject: "Ride for Five" program

03/11/2005 02:28 PM

Dear Mayor Seng and Members of the Lincoln City Council,

I am writing to strongly encourage you to continue to support and fully fund the "Ride for Five" program.

While I understand that all strata of government are under increasing pressure to cover rising costs in times of budgetary restrictions, I believe it is of critical importance to provide services for those members of our community at greatest need.

I am concerned that even a modest increase in the program's fee from \$5 a month to \$10 a month, let alone a more dramatic escalation to \$30 a month, will put the service beyond the grasp of many of our community's most needy, and that the consequences of such action will be devastating.

I urge the council to continue supporting the Ride for Five program so that economically and physically challenged riders can continue to rely on our support.

Sincerely,

Carleen D. Sanchez, PhD, Assistant Professor

Anthropology and Ethnic Studies University of Nebraska, Lincoln 224 Bessey Hall Lincoln, NE 68588-0368 (402) 472-3925 csanchez2@unl.edu

Makeh. 11,2005 95 i would leke to Jey We the Ride - Mogram. E blessing to me. a whole Wat. Ale to do my drug é alcholo tes Every morning and Chilon Coulet. fritte



To: CouncilPacket/Notes@Notes

cc:

Subject: Change of Zone No. 05014

---- Forwarded by Joan V Ray/Notes on 03/14/2005 11:28 AM -----



SToddSwanson@netsc ape.net

To: plan@ci.lincoln.ne.us, council@ci.lincoln.ne.us

CC:

03/14/2005 11:15 AM

Subject: Change of Zone No. 05014

Dear Planning Commission and City Council:

I am a resident whose property would undergo a zoning change under the Change of Zone no. 05014 proposal. I am writing to express my support for Change of Zone no. 05014 (Near South Neighborhood). This change of zone is vital to protecting and reinforcing the strong single-family character of our historic neighborhood and manages to do so without adversely affecting any existing apartments. Change of Zone 05014 weaves together the various housing needs of the Near South Neighborhood by dedicating areas for single-family homes and recognizing other areas best suited for apartments.

This change of zone will help make the Near South Neighborhood more stable, increasing market values and the quality of life for all residents. Please help us keep our city strong by voting yes on Change of Zone no. 05014.

Sincerely,

S. Todd Swanson 2600 A ST Lincoln NE 68502-1842

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#### CHARLES W. SWINGLE 2800 Woods Boulevard—Unit 703 Lincoln, Nebraska 68502 March 10, 2005

TO: The Honorable Members of the Lincoln City Council Jon Camp, Jonathan Cook, Glenn Friendt, Annette McRoy, Patte Newman, Ken Svoboda, Terry Werner City Council Office, 555 South 10<sup>th</sup> Street Lincoln, Nebraska 68508

FR: Charles W. Swingle, Citizen

RE: "Ride for Five" Program

All of you represent the City of Lincoln. Although I live in the District that is represented by Councilman Cook, I believe this issue is of extreme importance to all citizens of Lincoln. The Council must decide whether to continue the program.

This program helps the needy, starving (yes there is that element in our population, underprivileged, and low income (some without any income) citizens of Lincoln. There are many, many street people in Lincoln who have no home. They sleep in cardboard boxes, much of the time because there is no room for them in the various shelters and hostels sponsored by various organizations.

As you are aware, the facilities are crowded with "no room at the inn" for these members of our citizenry. Whatever the "experts" say numberwise, a good rule of thumb is to multiply the quoted figure used in city statistics of the homeless by two. The police department has a daily association with this part of our population and have a better estimate of those in need.

Also, low income people rely on public transportation to get to work, to get to medical appointments, for their children to get to school. A major part of these citizens desperately need this transportation program to survive. They have no other transportation.

I strongly, very strongly, urge you to vote to save this "Ride for Five" program... indeed, I plead with you to do so.

Sincerely,

Charles W. Swingle

Charles W. Swingle

Cc: to Rev. Dr. Andrew McDonald, Pastor

Westminster Presbyterian Church

2110 Sheridan Boulevard Lincoln, Nebraska 68502



To: jwjjr@concentric.net

cc: amcroy@mccrealty.com, newman2003@neb.rr.com, ksvoboda@alltel.net, joncampcc@aol.com, twernerlnk@aol.com, glenn@friendt.com, JCookcc@aol.com

Subjects Des Antolone Volley

Subject: Re: Antelope Valley

Dear Sir: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

jwjjr@concentric.net



jwjjr@concentric.net

To: council@ci.lincoln.ne.us

CC

03/15/2005 12:03 AM

Subject: Antelope Valley

#### Council Members!

How much money has Kent Seacrest been paid to front for and carry water for the Antelope Valley scheme? Also, where is the Antelope Valley office, what is its phone number, who is on its staff, how is it funded, how much are they paid, and how much taxpayer money has been spent on the project? Finally, how much eminent domain power has been used to date to create AV -- that is, how many property owners resisted condemnation of their properties and were forced to surrender them to the AV? At what cost? What accountability do these bureaucrats have?

Note to BCC recipients: Let's see if the Council WILL answer these questions or insure that I receive an answer at all. At least two Council members are seeking re-election. If you attend any candidate forums, I suggest you ask these same questions. The public has a right to know -- before the primary! For those of you running for City Council, I suggest you ask the same questions! Now! Oh, and share the info with Deena Winter at the Lincoln Journal Star. She knows a lot about AV and eminent domain and seems quite capable of covering the story fairly. My guess is that the Council will not respond or refer my request to the mayor or to the gofer for the Council, Dana Roper, consummate city bureaucrat. My guess is that I have asked so many questions that the Council will want three or four months to assemble the answers. We'll see. There may be ONE Council member who might want to answer, if only on a preliminary basis, because he/she has some skepticism about the AV scheme. But, let's face it, these people are part-timers who are dependant on bureaucrats to tell them what's what and how to vote! I will share whatever response I receive with all of you. I actually do not expect a response. Perhaps Deena Winter will force a response. You never know!

Lt Col Joseph W. Johnson, Jr., USAF Retired

2800 Woods Boulevard, No. 908 Lincoln, NE 68502

Aquila Networks P. O. Box 83008 Lincoln, NE 68501-3008

March 14, 2005



Council Member Terry Werner City of Lincoln County-City Building 555 So. 10th St. Lincoln, NE 68508

Dear Mr. Werner:

Aquila has announced a major step in its strategy to achieve investment-grade utility status. The announcement is attached. The latest step involves the possible sale of select utility properties. Be assured that the Nebraska properties are <u>not</u> for sale. Nebraska continues to be a core asset in the ongoing operations of Aquila.

Aquila remains committed to serving Nebraska communities and customers. Our commitment to investment, service, reliability and safety remains strong. Aquila is proud to be a member of the Nebraska business family. We look forward to continuing our service to your community.

In summary, please know:

- Aquila is committed to utility service in Nebraska.
- Aquila's Nebraska property is not for sale.
- These actions by Aquila will result in a financially stronger utility, benefiting Nebraska customers and communities.

I will be out of the office the week of March 14. Should you have questions or would like to discuss the announcement please call Dan Mechtenberg, Nebraska Business Operations Director. Dan can be reached at 402-563-3100, extension 12, or 402-276-0981.

Sincerely,

Steve Pella

Vice President, Nebraska Operations

Enclosure



TAR 15 2005

News Release

Media Contact:

Al Butkus –

(816) 467-3616

Media Relations – (816) 467-3000

**Investor Contact:** 

Neala Clark -

(816) 467-3562

#### AQUILA OUTLINES FURTHER REPOSITIONING INITIATIVES

Conference Call and Webcast Are Today at 9:00 a.m. Eastern

KANSAS CITY, MO, March 14, 2005 – Aquila Inc. (NYSE:ILA) announced today the company's plans to further reposition its business and enhance its ability to realize Aquila's long-term growth opportunity as an integrated natural gas and electric utility focused on providing safe and reliable service to customers.

"Over the last two years, we have made significant progress on Aquila's repositioning and have successfully executed more than 30 major initiatives to stabilize the company's financial condition and improve the financial performance of our regulated utility business," said Richard C. Green, chairman and chief executive officer. "With these advances, Aquila now has the opportunity to accelerate its repositioning plan, which will significantly improve our credit metrics and increase investment in the years ahead to meet the needs of our customers.

"This accelerated repositioning effort will include the selective divestiture of regulated utility assets to raise funds to further strengthen the company's balance sheet and provide the catalyst for future investment in regulated capital projects. Aquila has the opportunity to invest in generation, transmission and electric and natural gas distribution capacity, as well as required environmental upgrades. These investments will strengthen our utility business and improve our returns and earnings. We believe the incremental investment opportunity is approximately \$650 million over the next five years. By pursuing this course, our goal is to put Aquila on a clear path to achieve an average annual EBIT growth rate on post-divestiture rate base of 3 percent to 5 percent and move further toward investment grade credit metrics."

Green said the key elements of Aquila's strategy are to:

- Maintain its focus on operating an integrated, multi-state utility.
- Consider the sale of select utility and non-core assets.
- Significantly reduce Aquila's debt levels and strengthen its credit profile.
- Gain access to the capital markets on improved terms, allowing the company to more cost-effectively fund investments in its rate base to meet customer needs.
- Continue to improve operational efficiency and lower earnings variability.
- Actively work with regulators and legislators to address rate and fuel cost issues.

Green said that in achieving these objectives, the company will strengthen its balance sheet and position itself for long-term growth as an integrated natural gas and electric utility with a strong commitment to customer service. Currently, Aquila operates utilities in seven states. The utilities under consideration for divestiture are Aquila's natural gas operations in Michigan, Minnesota, and Missouri; electric operations in Colorado and Kansas; and St. Joseph Light & Power in Missouri. The other utilities Aquila operates are electric properties in Missouri (formerly Missouri Public Service) and natural gas properties in Iowa, Nebraska, Kansas and Colorado. The non-core assets considered for sale include three merchant peaking plants and Everest Connections. The company also plans a settlement of its Elwood toll contracts.

The proceeds from the sale of select utility and non-core assets will be used to retire debt and other liabilities.

"Aquila will continue to take a disciplined strategic approach," Green said. "Our decision on whether to sell an asset will be based on a comparison of the value the market offers versus the value we can build by continuing to own and operate that business."

Green concluded: "Our repositioning plan opens the way for Aquila to make significant, prudent investments in our rate base that can fuel our future growth. In adopting this strategy, we're encouraged by current trends. There is widespread understanding of the country's need to invest in utility infrastructure. At the same time, financial markets regard this trend as an investment opportunity and increasingly value utilities for their relative earnings stability and growth potential."

The Blackstone Group served as advisor to Aquila in the repositioning plan.

Evercore Partners serves as independent advisor to Aquila's Board of Directors. Lehman Brothers and The Blackstone Group have been retained as advisors for the execution of the plan.

#### Conference Call, Webcast and Additional Information

Today at 9:00 a.m. Eastern Time, Aquila will host a conference call and webcast in which senior executives will discuss the company's utility growth strategy.

Participants will be Chief Executive Officer Richard C. Green and Chief Financial Officer Rick Dobson.

To access the live webcast via the Internet, go to Aquila's website at www.aquila.com and click "Investor Information" and then the link to the webcast. Listeners should allow at least five minutes to register and access the presentation. For those unable to listen to the live broadcast, online replays will be available for two weeks at the same location on the website ("Investor Information"), beginning approximately two hours after the presentation. Replay also will be available by telephone through March 21 at 800-405-2236 in the United States, and at 303-590-3000 for international callers. Callers need to enter the access code 11025744 when prompted.

The company filed its Form 10-K today. The report and other current and historical financial information are available at www.aquila.com in the "Investor Information" section. Aquila shareholders are advised to read the proxy statement relating to the company's 2005 annual meeting of shareholders as it contains important information that will be filed with the Securities and Exchange Commission and is expected to be mailed commencing on March 18, 2005, to shareholders of record on March 7, 2005. Shareholders will be able to obtain this proxy statement, any amendments or supplements to the proxy statement and any other documents filed by Aquila with the Securities and Exchange Commission for free at the Internet website maintained by the Securities and Exchange Commission at www.sec.gov. Copies of the proxy statement and any amendments and supplements to the proxy statement will also be available for free at Aquila's Internet website at www.aquila.com or by writing to Investor Relations, Aquila, 20 W. Ninth Street, Kansas City, Mo. 64105. Aquila, its executive officers and directors may be deemed to be participants in the solicitation of proxies for Aquila's 2005 annual meeting of shareholders. Information regarding these participants is contained in the proxy statement filed by Aquila with the Securities and Exchange Commission.

Based in Kansas City, Missouri, Aquila operates electric and natural gas distribution utilities serving customers in Colorado, Iowa, Kansas, Michigan, Minnesota, Missouri and Nebraska. The company also owns and operates power generation assets. At December 31, 2004, Aquila had total assets of \$4.8 billion. More information is available at www.aquila.com.

#### - ### -

This press release contains the following forward-looking statements:

- We anticipate significant additional capital expenditures in order to satisfy our long-term power generation and transmission needs and to comply with environmental rules and regulations.
   Some important factors that could cause actual results to differ materially from those anticipated include:
  - -We may not receive the approvals required to participate in the planned construction of additional generating capacity.
- -Environmental rules and regulations could change such that we are not required to make anticipated capital expenditures for environmental compliance.
- Our goal is to be on a path to achieve an average annual EBIT growth on post-divestiture rate base of 3 percent to 5 percent and move further toward investment grade metrics. Some important factors that could cause actual results to differ materially from those anticipated include:
  - -Our actual allowed rate of return on our expected capital investments may be lower than our internal projections.
  - -We may not achieve operational efficiencies in our businesses, and our plan to sell utility assets could result in stranded overhead costs that would reduce our EBIT.
- We are planning to regain access to the capital markets on improved terms, allowing us to fund investments in our rate base and meet customer needs. Some important factors that could cause actual results to differ materially from those anticipated include:
  - -Our strategy to improve our credit standing may not be successful.
  - -We may not receive shareholder approval to issue additional shares of our common stock.
- Our strategy includes reducing debt, strengthening our credit profile and improving operational
  efficiencies. Some important factors that could cause actual results to differ materially from
  those anticipated include:
  - -We may not be able to complete the asset sales necessary to generate the proceeds to reduce debt;
  - -The sale of our utility properties will weaken our credit profile if the lost earnings are not more than offset by the savings resulting from a reduction in debt with the sale proceeds;
- -Our initiatives targeted to improve operational efficiencies may fail or not produce the desired results.
- We intend to consider the sale of certain regulated utility assets and our interests in three
  merchant peaking facilities and Everest Connections, as well as terminate the Elwood toll
  contracts. Some important factors that could cause actual results to differ materially from those
  anticipated include:
  - -We may receive bids for assets at prices that are inadequate or insufficient for accomplishing our targeted goals.
  - -Regulatory commissions may refuse to approve some or all of the contemplated divestitures.
- -The counterparty to the Elwood toll contracts may be unwilling to terminate or restructure these contracts, or we may not find a third party willing to assume this obligation upon acceptable terms.
- We will attempt to improve operating efficiencies and lower earnings volatility. Some important
  factors that could cause actual results to differ materially from those anticipated include:

   Our process improvement initiative may fail or not produce the desired results.
  - -Legislative initiatives designed to lower volatility associated with weather and fuel may fail.





#### REALTY TRUST GROUP

M.J.M., Inc., Michael Marsh, C.E.O. Spanish Oaks, Inc. Gateway Bowl, Corp. Gateway Executive Management Alpine Village 2300 S. 48th, Suite 1 Lincoln, NE 68506 Phone 402-484-8484 Fax 402-484-8485

Robert Weigel, President and General Counsel

March 14, 2005

City Council Members of Lincoln 555 South 10<sup>th</sup> Street Lincoln, NE 68508

Re:

Change of Zone #05004 84<sup>th</sup> Street & Old Cheney Rd. Pine Garden Planned Unit

Development

Dear City Council Members:

Realty Trust Group herewith requests to put the above project on hold. The change of zone was to move forward on a simple understanding with Planning that the commercial portion was <u>not</u> to include any restrictions; however, we were to be required to come forward with a future commercial use under the framework of certain agreed ingress, egress, and traffic consideration.

On February 16, 2005 the Planning Commission approved the plan without us realizing there were certain restrictions added. We immediately attempted to rectify the situation with our original understanding without success to date. Please also find attached our correspondence.

If we can resolve the above issue as stated in our February 28, 2005 letter, we would certainly consider moving ahead as both sides have put a great deal of effort into this model project.

Respectfully,

Mil Mil

Mike Marsh

V.P. Really Trust Group



Realty Trust Group 2300 South 48<sup>th</sup>, Suite1 Lincoln, Nebraska 68505 402-484-8484 Fax: 402-484-8485

March 4, 2005

To: Steve Henrichsen FAX: 402-441-6377

From: Mike Marsh

We are in receipt of your March 3, 2005 letter. We appreciate your attempt to clarify yourselves, however, we must insist on one of the two changes in our February 28, 2005 letter which is enclosed.

If we can not move forward as per our February 28, 2005 letter, we will not move forward to City Council.

Thank you for your consideration, and please advise us as soon as possible one way or the other.

Sincerely,

Michael Marsh

19R-UJ-2005 1J:42

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#### CITY OF LINCOLN NEBRASKA

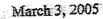
MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County Planning Department Marvin S. Krout, Director

Mary E. Bills-Strand, Chair City-County Planning Commission

> 555 South | Oth Street Suite 213 Lincoln, Hebraska 68508 402-441-7491 fax: 402-441-6377



Mike Marsh Realty Trust Group Faxed to 484 - 8485

RE: Change in Uses for Pine Gardens PUD 84th Street & Old Cheney Rd.

Dear Mike:

As a follow up to our recent phone conversation, we certainly understand that at some point in the future you may want to make a change to the Pine Gardens PUD, which has not yet been approved by the Planning Commission. As I stated previously, if after the initial approval by the City Council, Realty Trust came in with a different use not currently allowed, such as a bank, we would certainly carefully and reasonably review that proposal, as we do every application. If you wanted to convert one or more of the commercial buildings to a bank, our main interest would be to review it to make sure the general principles of the concept plan are being followed and the user is satisfied with the land uses, site plan and right-in only access on S. 84th Street. If we can work out a plan to the satisfaction of everyone involved, we would recommend approval of the plan. Ultimately, the revised plan would need to be reviewed by the Planning Commission and City Council.

If you have any questions, please feel free to contact me at 441-6374.

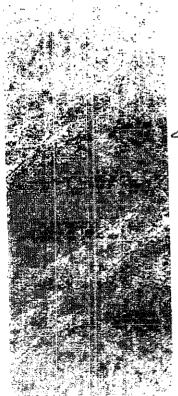
Sincerely.

Stephen Henrichsen Planning Department

cc: Marvin Krout, Ray Hill, Grey Czaplewski, Planning Randy Hoskins, Dennis Bartels, Public Works and Utilities Don Wescly

Brian Carstens, Carstens & Associates

IASHORT\STEVE\Realty Trust 84th Old Chency letter March 3 2005.ssh.wpd



Realty Trust Group 2300 South 48<sup>th</sup>, Suite 1 Lincoln, Nebraska 68506 402-484-8484 Fax: 402-484-8485

February 28, 2005

Lincoln Lancaster Coutny Planning Dept. Steve Henrichsen 555 South 10<sup>th</sup> Street, Suite 213 Lincoln, NE 68508

RE: Pine Gardens PUD

84th Street & Old Cheney Rd.

Via Fax: 441-6377

Dear Steve,

We are in receipt of your letter dated February 25, 2005.

If we can do one of two changes we will move forward:

(1) Add the words "and not to be unreasonably prohibited" at the end of "If after the initial approval by the City Council, Realty Trust came in with a client wanting a use not allowed above, such as a bank, on the commercial third of the site, that application will be reviewed by staff. If the general principles of the concept plan are being followed and the user is satisfied with the site plan and right-in only access on S. 84<sup>th</sup> Street, and does not impact the residential uses, staff will consider recommending approval of the change to permit the bank or other use.

Or

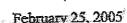
2) Keep it simple by agreeing in writing to have Realty Trust come forward to City Council for future projects without delineating any specific use. The latter is what I believe we originally agreed upon.

You and staff have put forth a good and honest effort in working with us and I believe we have as well. The above conditions do not change the spirit of what we are all working towards. We are obviously putting a tremendous amount faith into you and planning staff; that there would be a sincere effort if a current denial use specified came about and we stayed within all other guidelines that you and staff would work with us.

We desire nothing else than "reasonableness" to prevail on your side and ours.

Please consider the above changes so we can move forward on schedule. If you have questions please feel free to contact me at 484-8484.

Sincerely, Michael Q. Mank Michael J. Marsh





## CITY OF LINCOLN NEBRASKA

#### MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Lincoln-Lancaster County
Planning Department
Harvin S. Krout, Director

Mary F. Bills-Strand, Chair City-County Planning Commission

> 555 South 10th Street Suite 213 Lincoln, Hebraska 68508 402-441-7491 fax: 407-441-6377

Mike Marsh Realty Trust Group Faxed to 484 - 8485

RE: Change in Uses for Pine Gardens PUD 84th Street & Old Cheney Rd.

#### Dear Mike:

This letter is a follow up to recent discussions with Don Wesely and Brian Carstens about the Pine Gardens PUD at 84th and Old Cheney Road. In order to make sure there is no misunderstandings, we wanted to restate what we had previously discussed about potential commercial uses.

The Pine Garden PUD recommended for approval by the Planning Commission, and awaiting revisions prior to scheduling with City Council, is for 28 dwelling units and 22,000 square feet of commercial space. This space could be used for any commercial use, however, due to traffic and turning movement demands, a few uses are prohibited or conditioned as follows:

- a. Restaurant are allowed, provided no drive-thru & less than 1,500 sq. ft.
- b. Banks and savings and loan are not permitted,
  - c. Convenience stores and gasoline stations are not permitted,
  - d. Automobile car wash facilities are not be permitted, and
  - e. Warehousing, self storage and industrial uses are not permitted.

If after the initial approval by the City Council, Realty Trust came in with a client wanting a use not allowed above, such as a bank, on the commercial third of the site, that application will be reviewed by staff. If the general principles of the concept plan are being followed and the user is satisfied with the site plan and right-in only access on S. 84<sup>th</sup> Street, and does not impact the residential uses, staff will consider recommending approval of the change to permit the bank or other use. The application to amend the PUD would then be forwarded to the Planning Commission and City Council for action.

If you have any further questions, please feel free to contact me at 441-6374.

Sincerely,

Stephen Henrichsen

Planning Department

cc: Marvin Krout, Ray Hill, Greg Czaplewski, Planning

Randy Hoskins, Dennis Bartels, Public Works and Utilities

Don Wesely

Brian Carstons, Carstons & Associates

LINCOLN
The Community of Opportunity

L\SHORT\STEVE\Realty Trust 84th Old Chency letter February 25 2005.ssh.wpd

\_\_\_



#### PATHWAYS TO SELF-SUFFICIENCY

CARVETH FAMILY EDUCATION CENTER
4600 VALLEY ROAD
LINCOLN, NEBRASKA 68510
(402) 483-4581 EXT. 285 • FAX (402) 483-6866

March 14, 2005

City Council Members 555 S. 10<sup>th</sup> Street Lincoln. NE 68508

Re: The "Ride for Five" Program

Council Members:

The clients we serve <u>do</u> use this program. I <u>do</u> urge The City Council to keep the "Ride for Five" Program. If necessary, break down the income guidelines and issue bus passes accordingly. (Example: \$5 – very low-income, \$10 – average low-income, and \$15 – above average low-income)

Here are the "Top Ten" Reasons for Keeping the "Ride for Five" Program:

- 1) "Ride for Five" helps make transportation affordable for low-income clients.
- 2) "Ride for Five" helps low-income clients become independent of relying on others for transportation.
- 3) "Ride for Five" helps low-income clients get to appointments.
- 4) "Ride for Five" helps low-income clients go grocery shopping.
- 5) "Ride for Five" helps low-income clients apply for jobs.
- 6) "Ride for Five" helps low-income clients keep a job.
- 7) "Ride for Five" helps low-income children and adults get to and from school.
- 8) "Ride for Five" helps low-income clients go downtown for entertainment, shopping, etc.
- 9) "Ride for Five" provides a safe mode of getting places for low-income clients.

10) "Ride for Five" bus pass is much cheaper than a taxi voucher.

Sincerely, Jeannette Christianson

Jeannette Christianson, Administrative Assistant

Lincoln Medical Education Partnership (LMEP)

Pathways to Self-Sufficiency Program

4600 Valley Road

Lincoln, NE 68510

A program of LINCOLN Medical Education Partnership

Paul & Colette Beetz 6938 South 53<sup>rd</sup> Court Lincoln, Nebraska 68516 402-421-6519

Mayor, Lincoln City Counsel 555 South 10<sup>th</sup> Street Lincoln, Nebraska 68508 March 14, 2005



Dear Mayor and Lincoln Council Members,

My daughter received an unpleasant letter from Lincoln Parks and Rec telling her that her services as lifeguard were not needed. In the letter was an invitation to call Parks and Rec and find out what was wrong with her three previous successfully completed summer stints as a lifeguard. She had applied for these positions each year.

Apparently, this year, Parks and Rec held a popularity contest, before advertising positions, regarding all past lifeguards. Then, after the popularity contest, lifeguards are picked and former lifeguards are sent the attached unpleasant rejection letter. After that, Parks and Rec then advertises for lifeguards in newspapers.

While such popularity contests are more High School than good business, the really annoying Parks and Rec policy is to send these rejection letters to people WHO HAVE NOT EVEN APPLIED FOR THE JOB. That's right. Parks and Rec sends rejection letters to people who haven't even applied for the job.

While the City Attorney suggested that Colette could opt out in the future, the whole procedure is absurd. Maybe not. Is there a place in the city government where people can register so they will not receive rejection letters for city jobs that they haven't applied for ? Is modeled after the do not call list ?

Perhaps someone with common business sense could explain this to me and my daughter (<a href="Zteeb@aol.com">Zteeb@aol.com</a>)? Parks and Rec is more interested in covering their tracks than apologizing for their bungling. Perhaps someone could introduce a resolution instructing city employers not send rejection letters to people who haven't even applied for a city job. In times of tight budgets, this might be seen as a cost saving.

Enclosures:

Paul Reetz

Colette Beetz



Parks and Recreation Department Lynn Johnson, Director 2740 "A" Street Lincoln, Nebraska 68502

402-441-7847 fax: 402-441-8706

"Making Lincoln a Better Place to Live"



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

#### Collette,

It is hard to believe that the time has come to begin consideration for the 2005 summer season at Star City Shores. This season I am enlisting the input of the Head Guards in the selection process of staffing guard positions as well as other managerial duties. This letter is to inform you of employment status. Your services as a life guard for the 2005 season will not be needed.

I do not know if you had a desire to return to the pool or if you are making other plans for the summer. I did feel it was important to inform you of our decision, so you can make plans for your summer employment. This decision was reached by considering the following: punctuality, general attitude toward work, job knowledge and improvement over the summer, willingness to work hours scheduled and perform the other task that are needed the keep the pool a safe place away from the water as well as in or near it.

If you would like to discuss this decision or have any other questions, please contact me at 441-6792.

Respectfully,

Deb Mover

Facility Manager, SCS

Parks and Recreation Department

2740 "A" Street

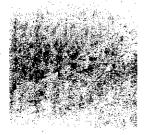
Lincoln, NE 68502

RETURN SERVICE





MAYOR COLEEN J. SENG



LINCOLN

RECULSIED

Collectie Beetry 6938 S. 53rd Ct Lincoln, NE 685/6

## LASSIFIEDS



\$7.00/15 words | \$5.00/15 words (students) | \$0.15 each additional word | \$0.75/line headline | Deadline: 4 p.m. weekday prior

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#### 480 Vacation Rentals

Available spring break week. Winter Park condo. Sleeps ten, less than half price, 467-6706.

500s lobs



#### 500 Help Wanted

#### **BREWSKYS** is now accepting applications for the following

positions:
• Part-time bartender (experience preferred)

Part-time and full-time servers
 Please apply in person to 1602 South St., 2662
 Cornhusker Hwy, 2840 So. 70th, or 201 N, 8th.

Come join our team. Part-time teachers needed Monday-Friday. Experience and education pre-ferred. Williamsburg Village Child Development Center, 3301 Orwell Drive. 423-5437.

#### **CUSTODIAL SUPERVISOR**

A respected leader in the custodial and maintenance industry is seeking an individual to pro-vide supervision for our custodial team. This is a full time position with evening hours Monday-Friday

Position responsibilities include the effective management of a diversified custodial staff, the ability to train, and ensure that all work is per-formed in a safe and efficient manner. Knowl-edge of floor care procedures, awareness of edge of floor care procedures, awareness of OSHA hazard communication requirements and the ability to motivate others are required. In addition, three years custodial procedures in addition, three years custodial procedures.

#### 500 Help Wanted

Mojava Cafe

Upbeat, responsible, hardworking people needed for part-time positons. Apply at 2649 N 48th St., 1/2 block west of 48th on St. Paul.

## NEW YEAR, NEW YOU Customer Sales and Service Positions Filling A.S.A.P. Weekly pay

Weekly pay \$12.00 Base- Appt. Flexible around classes, great for Any major. Scholarships Possible. CALL 477-8663 Mon-Thurs.

NIGHT SECURITY/MAINTENANCE ASSISTANT NIGHT SECURITY/MAINTENANCE ASSISTANT PERSONNEL needed at E.T. Mahoney State Park. Full or part time, temporary positions. Night and weekend hours. For Information or applications call 944-2523, Ext.7122. AA/EOE. Return applications or resume to E.T. Mahoney State Park, Attn: Security Supervisor, 28500 West Park Hwy, Ashland, NE 68003.

#### **Now Hiring**

Security & Servers.

Great pay! Flexible shifts! Fun environment!
Brother's Bar and Grill is here. Join a great staff and a fast-growing company. Apply in person, ask for Greg. 1339 O Street.

#### P.T. Audio/Video Assistant

F.1. AUGIIO/ VIGEO ASSISTANT KOLN/KGIN-TV has a part time AV Assistant opening. Duties include camera, C.G., and prompter. Includes evening work, weekends, and holidays. Deadline: 2/8/05. Send cover let-ter and resume to: Personnel Supervisor; KOLN/KGIN-TV; PO Box 30350; Lincoln, NE 88603 FOF Dura screen remuired. 68503. EOE. Drug screen required.

Part-time cleaning position. Monday-Friday or Sunday-Thursday. Apply in person at 300 Oak Creek Drive. 475-4527. Keller Building Service.

#### Paycheck Advance

Looking for responsible students seeking good work experience with possible internship. Day, night and weekend positions available, part time. Good benefits. Apply online at delayeddeposit.com or in person at 44th and Cornhusker.

#### PICTURE FRAMER

20+ hours per week, learn framing from start to finish, from cutting frames through hanging the picture, we will train, year round, must be organized, mechanical, & reliable. Learn a skill bed make money What a deal!

ganized, mechanical, & reliable. Learn a skill and make money. What a dealt YOU SET A SCHEDULE THAT WILL WORK FOR YOU, WE STICK TO IT. If you are a reliable, hard working individual and are interested, apply in person at Awards Unlimited, 1935 "O" Street, between 10 a.m. and 5 p.m., Monday-Friday, this week.

#### Retail/Customer Service

Part-time and Full-time Sales Associates: We're seeking retail employees who know how to assist customers energetically! We've built our business on quality service, so if you have a high gear and know how to use it, we'd like you to join our team

Evenings and weekends are a must. We offer a competitive starting wage and a flexible schedule to those who are responsible and really want

Stinson's ACE Hardware 945 S. 27th, 438-5517 Incomplete applications will not be considered

Roadway Express Management Trainees

#### 530 Summer Jobs

#### **AQUATIC STAFF** WANTED!

Enjoy the outdoors working at the YMCA Camp Kitaki. Earn up to \$2300, working at the pool or lake while having fun, and making a difference with kids. Make lifelong friends and gain valuable leadership skills. Call for an application (402)434-9225, email campkitaki @ymcalincoln.org or visit our website www.ymcalincoln.org.

LIFEGUARDS, CONCESSION STAFF, WRAN-GLERS needed at Mahoney State Park for sum-mer season. We need individuals who can com-municate with the public in a professional man-ner. Flexible work hours with an outdoor, fun work experience. AA/EOE. Call 402-944-2523. Ext. 7122 for applications. Return applica-tion/resume to E.T. Mahoney State Park, 28500 West Park Highway, Ashland, NE 68003.

#### **Outstanding Leaders** Needed

The Nebraska 4-H Camps at the Nebraska Na-tional Forest-Halsey, Schramm State Park-Gretna, and Harlan County Reservoir-Alma, are accepting applications for 2005 summer program staff. Lead outdoor programs: canoeing, tubing, rappelling/climbing, swimming, and many more.

#### Great Funi Great Experience! Competitive Salary! Summer positions for all majors!

Initial application deadline: February 10, Applications received after deadline may be accepted until all positions are filled. For information call: (402)472-1710 or email: jwalahoski2@unl.edu

#### Summer is Coming!

Are you wondering about what you're going to do for the summer? How about making \$2,800/month, gaining experience, and traveling. Call 438-9459.

#### SUMMER POOL STAFF

Lifegaurds needed for summer season, outdoor working environment with flexible hours. Lincoin Parks & Recreation, EOE/AAE, Get application online at www.lincoln.ne.gov Search Word: Forms, or at City Recrecteation Centers, 2740 A

#### 540 Internships

Wanted: A socially active greek student for an on-campus paid internship. Flexible hours and great pay. Please 1-877-239-3277 ext. 104. call Adrianna

#### 600s Notices



#### 603 Spring Break Trips

#### #1 Spring Break Vacations

Cancun, Jamaica, Acapulco, Bahamas, & Florida! Best Parties, Best Hotels, Best Prices! Space is limited! Book Now & Save! 1-800-234-7007. endlesssummertours.com.

Spring Break 2005

#### 610 Announcements

#### Nebraka Ring Grants

Application online: <a href="www.ring.huskeratum.com">www.ring.huskeratum.com</a>. Due Noon February 9th at the Wick Alumni Center. Five 50%-off grants will be awarded.

Volunteer Income Tax Assistance

#### FREE TAX HELP FOR STUDENTS

Sponsored by ASUN (Student Gov't) and SIFE

All help sessions will be in the ASUN office; 136 Nebraska Union

Thursday - February 3 6:00-9:00 p.m.

What to bring: This year's tax package and/or label. All forms, W-2 and 1099's. Information for other income. Information for all deductions/credits. A copy of last year's tax return.

#### 620 Greek Affairs

#### ΑΟΠ

Congratulations to the following girls for a 4.0 GPA for the Fall 2004 Semester!
Rachel Boeger, Sarah Brostrom, Shannon Doyle, Jenny Edwards, Emily Hilgenkamp, Katy Michaelis, Cassie Ruzicka, Lindsey Slobodny, Jodi Throckmorton, Shelley Trift.
Congratulations to the following girls for a 3.5 and above GPA for the Fall 2004 Semester!

and above GPA for the Fall 2004 Semester!
Ashely Arts, Ashley Batie, Kristin Bertelsen, Jesa Burcham, Nicole Busboom, Megan Choquette, Katle Cloke, Jenny Copple, Sarah Dicke, Leah Ficke, Rhonda Hale, Cheryl Halstead, Jill Harmon, Scarlett Herring, Anna Hutkinds, Aunnie Ihle, Ashley Jenrich, Jess Jensen, Charlene Kastanek, Kelsey Kerwin, Sarah Koohmarie, Liz Love, Christin Lovegrove, Abbie Martin, Meghan McCluskey, Shannon McGrath, Becky Nielsen, Kelly Norrie, Eiena Olson, Laura Peterson, Alyssa Ramsey, Tara Steiner, Lauren Taylor, Katle Thomasset, Kristi Vriska.

#### ΦМ

Congratulations to these women for their scholastic achievements!

lastic achievements!
4.0: Brooke Bredenkamp, Carissa Gengenbach, Rebecca Haschke, Jennifer Hawthorne, Kelsey Hednck, Jernif Hoemann, Liz Hoy, Katie Jones, 3.5 & up: Winter Alderson, Christa Andraschko, Laura Arndt, Jessica Bairo, Liz Elwell, Niki Fergen, Amanda Fianagan, Courtney Gilroy, Erni Groeteke, Kristina Hixson, Erin Jeffery, Michele Kaiserman, Kellie Konz, Jessica Largis, Tory Lenosky, Haley Nelson, Sara Robidoux, Brittany Stutheit, Randi Thomas, Megan Verch, Andrea Wilkerson, Angie Will.

Love, Your Sisters

#### $\Theta \Xi$

Have a fun, safe trip heading down to Regionals in K-State this weekend men. Bring back some great stories to share at the Super Bow! Bash this Sunday at the house. Also have this Sunday at the house. Also have a great time at Mardi Gras Jase & Peter-don't forget the

-The Men of Theta Xi

#### 630 Student Government

**GET INVOLVED!** REPRESENTATION NEEDED FOR THE FOLLOWING STUDENT GOVERNMENT POSITIONS

#### Viost of Every Day!"



in our community's health care delivery system.

Since 1989, Waverly has been delivering exceptional care to residents with short-term rehab and long-term care needs. Our 51-bed facility has outstanding staff with a combined 10+ years of service. Please call to schedule a tour today.

#### WAVERLY CARE CENTER

A FIVE STAR OUALITY CARE INC. INCILITY

11041 North 137th Street, Waverly, NE 68468-0160 Phone: 492-786-2626 • Fax: 492-786-2630 Member of the Waverly Chamber of Commerce.

## SUMMER POOL POSITIONS

#### Lincoln kids want you!

• Fun Working Environment • Certification Updates • Skill Development

Lincoln Parks & Recreation Department is hiring

## Lifeguards

for the 2005 Summer pool season.

Visit: Lincoln.ne.gov Keyword: Pools Applications available from the Administration Office at 2740 A Street, the Aquatics Office at 1225 F St. (Second Floor) or any city recreation center.

Call 441-7960 for more information EOE/AA



# MARLBORO LIGHTS SMOKERS!

#### EARN UP TO \$3,700 ASSIST MEDICAL RESEARCH

You can earn up to \$3,700 by participating in a medical research study at MDS Pharma Services. If you are in good medical condition and meet the criteria below, call 800-609-7297 to find out more.

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Northview Centre, 4451 N. 26th St., Suite 700, 438-3939
South Ridge Village, 2901 Pine Lake Rd.,

Columbus East Pointe 325 E. 23rd

Ste. A., 223

Beatrice 1200 N. 6th



Law Department
Dana W. Roper, City Attorney
575 South 10th Street
Suite 4201
Lincoln, Nebraska 68508

402-441-7281 Civil fax: 402-441-8812 Pros. fax: 402-441-8813

Civil Division
James D. Faimon
Steven J. Huggenberger Joel D. Pedersen
Connor L. Reuter Margaret M. Blatchford
Tonya L. Skinner Joe J. Rupp

Richard C. Anderson, Police Legal Advisor
ision Prosecution Division
aimon Patrick C. Campbell Christine A. Loseke
r Joel D. Pedersen Rob E. Caples Marcee A Brownlee
garet M. Blatchford Jessica Kerkhofs



MAYOR COLEEN J. SENG

www.ci.lincoln.ne.us

Ernest R. (Rick) Peo III, Chief Assistant John C. McQuinn II, Chief Prosecuto

February 18, 2005

14/2 5 2005

Paul Beetz 6938 South 53rd Street Lincoln, NE 68516

RE: Employment Records of Colette Beetz

Dear Mr. Beetz:

I am in receipt of a document giving you the Power of Attorney for Colette Beetz. I am assuming you are still requesting a copy of her personnel file. This request has only been verbal. If you are still requesting a copy of her records, please send me a written request for my files. You may also fax me this request at (402) 441-8812. After I receive the written request, I will send you a copy of her file.

Thank you in advance for your cooperation in this matter.

Tonya/Skinner

Assistant City Attorney

cc: Lynn Johnson, Parks & Recreation Deb Moyer, Parks & Recreation Paul & Colette Beetz 6938 South 53<sup>rd</sup> Court Lincoln, Nebraska 68516

Lincoln Parks and Recreation C/o Tonya Skinner City of Lincoln Law Department 575 South 10<sup>th</sup> Street Suite 4201 Lincoln, Nebraska 68508 March 14, 2005



Dear Ms Skinner, Ms. Moyer, and Mr. Johnson,

We are continuing to pursue the reason for some hate mail sent from Lincoln Parks and Recreation undated but postmarked January 26, 2005. Despite not actually applying for any job, Lincoln Parks and Recreation sent a letter to Colette Beetz stating that "Your services as a life guard for the 2005 season will not be needed."

If this unsolicited billet-doux wasn't enough to make you feel good you are instructed to call Deb Moyer to find out how you are lacking with Lincoln Parks and Rec. I, Paul Beetz, Colette's father, took the bait. What is so wrong with my daughter that she is being rejected for a job she didn't apply for?

My first call to Deb Moyer resulted in her comment that Colette volunteered too much. I was dumb struck. Evidently when the pool is overstaffed the head guard asks for volunteers to leave early and Colette would volunteer. I could not conceive of any employer complaining that an employee volunteered too much.

My second call to Deb Moyer resulted in her comment that Colette had punctuality problems. Again I thought this was nonsense. My wife and I had gotten Colette off to work every morning to go to work at the pool. Additionally, Colette taught swimming lesions in the morning for the Red Cross before the pool opened for city purposes. It would appear that Parks and Rec considers being at the job site hours before work a punctuality problem.

My third call to Lynn Johnson resulted in his comment that they had an abundance of people for the job. He said the letter was a courtesy letter sent out to people who weren't even applying for the job. Of course, the attached ads in the University newspaper and Lincoln Journal Star make Lynn Johnson a fool or a liar.

So the City of Lincoln Parks and Rec sent out preemptive letters warning people not to apply for jobs that Parks and Rec were going to advertise in the future. When people call to find out why they were warned away from future city jobs, Parks and Rec will make up things. Everything Parks and Rec has put forward is disingenuous or is outright lies. It appears that Parks and Rec have too much time on its hands. A popularity test for people who haven't even applied for a job is so High School that it is the only explanation of why people who volunteer are stigmatized. This should ensure that there is a good supply of hung over party animals to watch Lincoln's children in the water.

As a result of Parks bungling we want to get to the bottom of their nonsense. We would like the following:

- 1) All personnel records regarding Colette Beetz
- 2) Who were the parties that claimed Colette was lacking in any areas laid out by Ms. Moyer in a letter postmarked Jan 26, 2005? This request would cover the past three years of completed summer service
- 3) All parties who are involved in hiring life guards and reviewing their performance
- 4) What Parks and Rec has against Colette Beetz in writing
- 5) What is Parks and Rec policy on personnel records retention and when will her file be destroyed?
- 6) Colette's last paycheck, her certificates for lifeguard, First Aid, and CPR.

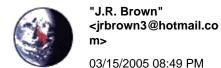
Parks and Rec has an obligation and duty to serve the people of Lincoln. They have neglected their duty and caused my family unneeded hassles. As a result they had to advertise for life guards. Warning citizens against applying for jobs that they haven't applied for certainly isn't equal opportunity. If not illegal, it certainly isn't competent personnel policy.

Paul Beetz

Colette Beetz

Enclosures: Undated Parks and Rec letter postmarked 2/26/05, Daily Nebraskan 2/3/05 Page 11, Lincoln Journal Star 2/27/05 page 6B

Cc: Mayor and city counsel



To: danay@sk-law.com, plan@lincoln.ne.gov, mkrout@lincoln.ne.gov, pubworks@lincoln.ne.gov, rfigard@lincoln.ne.gov, bldgsafe@lincoln.ne.gov, mmerwick@lincoln.ne.gov

cc: mayor@ci.lincoln.ne.us, council@lincoln.ne.gov, jwalker@lincoln.ne.gov, info@kolnkgin.com, bjohnston@journalstar.com, 8@klkntv.com, gwinters@journalstar.com, krutledge@journalstar.com, sthomas@journalstar.com

Subject: Blindsided by Development

To: North Hills Business District Developer, Northern Lights LLC, SouthView Inc.

City of Lincoln, Planning Department, Public Works, Building and Safety

CC: Mayor's Office, City Council, Planning Commission, News Media

From: J.R. Brown, 5501 Rockford Drive, Lincoln, NE 68521

First off, a general timeline of events:

On 8/23/2004 I wrote a letter to Ms. DaNay Kalkowski, attorney for Northern Lights LLC and SouthView Inc. to outline my personal concerns regarding the development located generally southeast of 14th and I-80. These concerns included two major items of discussion: North Hills Commercial Center - Building Structures and General Site Plan, 27th to 14th Street Fletcher Ave Connection.

On 9/29/2004 Mr. Chad Blahak, City Engineer said, "There will be a number of neighborhood meetings in which the design of Fletcher can be addressed." Planning Commissioner Pearson asked, "When do we anticipate the connection to 14th Street being made?" The response Mr. Blahak made was, "won't be until after 2007". I talked with Kent Morgan on 3/15/2005, he told me that this area is NOT under construction and still is in the design phase.

On 11/17/2004, a meeting was called by Ms. Kalkowski; in attendance were Annette McRoy and Jon Carlson from City Council and Planning Commission, respectively, and City Traffic Engineer Randy Hoskins. Many issues were discussed at this meeting, but more specifically North Hills Neighbors clearly outlined their disapproval with the preliminary plans for Fletcher Ave and made it clear that they felt out of the loop since this is the first time they officially heard about all of the development plans.

On 12/1/2004, I called a meeting to organize a subcommittee which took on the task of evaluating the development and coming up with detailed recommendations as attached. This was sent to Ms. Kalkowski on 2/10/2005.

On 1/10/2005, I testified before the City Council on how Fletcher Ave impacts our neighborhood and shared my neighborhoods concerns regarding this project. "There is great interest in the North Hills neighborhood on this project. I am asking the City provide maximum effort in communicating and involving the North Hills neighborhood in the earliest stages of this project throughout completion."

On 2/1/2005, North Hills introduced a comprehensive plan amendment for Fletcher Ave outlining the desire of the neighborhood to be involved in this project. The attached document sent to Ms. Kalkowski has this amendment included.

To my dismay, on 3/14/2005 after coming home from work, I noticed that work has begun to clear the Fletcher Ave right-of-way. I was certainly shocked to see 50 plus trees uprooted and laying in piles around the development. These trees formed two distinctive tree lines that would have been great for a bike trail location. See attached photo, Before.jpg and Afterl.jpg, After2.jpg. I get this awful feeling when a natural buffer between a neighborhood and a busy 14th St, I-80, and Commercial area is demolished as it has been in this case.

So my question is "What happened here?" Why was this right-of-way cleared? Why now? Here are the scenarios I can think of:

- 1. The developer cleared the City right-of-way without the City's permission. I'd hope it isn't the case that developers or anyone for that matter can destroy City property.
- 2. The developer had permission from the City. If this is the case, why did the City say "OK" when it's obviously clear and has been documented that the neighborhood is concerned about the development of this area.

Why is development work being done, when it was promised that the neighborhood would be involved? Where is the neighborhood involvement in this city?!?!

I find it incredibly difficult to get accurate information regarding this project that affects our neighborhood. I'm disappointed that the neighborhoods concerns are not being heard by the developer and city staff.

This is an important issue to our neighborhood and I hope this prompts your attention to look into the matter further.

Kind Regards,

J.R. Brown North Hills 5501 Rockford Drive (402) 617-0493









NH\_BizDist\_Proposal.p Before.jpg After1.JPG After2.JPG



North Hills Neighborhood c/o J.R. Brown 5501 Rockford Drive Lincoln, Nebraska 68521 (402) 617-0493 jrbrown3@hotmail.com

2/10/2005

DaNay Kalkowski Seacrest & Kalkowski, P.C. 1111 Lincoln Mall, Suite 350 Lincoln, NE 68508 (402) 435-6000 danay@sk-law.com

Dear Ms. Kalkowski,

Over the past few months, the neighborhood has been taking a hard look at the proposed North Hills Retail Center, Fletcher Ave, and the impact these developments have on the neighborhood.

On, January 31, 2005, the North Hills neighborhood development sub-committee held a neighborhood meeting in which the neighborhood endorsed the contents of this letter as well as the redesigned proposed plats included.

The North Hills Neighborhood would appreciate your consideration of the following items:

North Hills Commercial development

- 1. Attached designs provide neighborhood friendly building envelopes which meet the following criteria:
  - a. Shields the neighborhood from large parking space.
  - b. Removes focus of Rockford Drive as an entry point into the commercial development.
  - c. Provides screening by the strategic placement of building envelopes.
  - d. Provides for smaller business office/retail space.
- 2. For the developer to provide 'forward throw' lighting into the development. Lincoln Electric System to advise upfront on lighting design within the development.
  - a. Meet the City of Lincoln design standards and the following additional items:
    - i. No more than .5 foot candles of light, ambient or otherwise, shall shine past the business property onto the residential area.
- 3. Acceptable use in order of preference to include, YMCA or similar exercise facility, medical center, small business office space, small retail office space, or a mixture of both.
- 4. Involve the neighborhood upfront in the building design and ensure it compliments the quality of homes within the neighborhood. Buildings should have an 'Earth-tone' facade.
- 5. Establish a percentage of the business development association's dues to be allocated to the maintenance of the wetlands and commons areas.
- 6. Business development covenants should restrict 24/7 retail business.
- 7. Off-Sale alcohol sales should be restricted.



North Hills Neighborhood c/o J.R. Brown 5501 Rockford Drive Lincoln, Nebraska 68521 (402) 617-0493 jrbrown3@hotmail.com

- 8. Any convenience store or gas station should not be within view of the neighborhood.
- 9. No standalone bars or sports bars. Restaurants should not have attached beer gardens.
- 10. Restrict tall signs that could be seen from the neighborhood. Additional restrictions on large signs in view from neighborhood.
- 11. Buffer the development by a berm and/or retaining wall.
- 12. Additional discussion to alleviate many neighbors concerns regarding wetlands impact, drainage, and recommendations from the Federal Government Corp of Engineers as mentioned in general note #29.

#### Fletcher Ave Design

- 1. Support for the North Hills Comprehensive Plan amendment, as attached.
- 2. Developer request to Lincoln Electric System for the installation of shields on the street lighting.
- 3. Support for a roundabout to be located at the Fletcher and Rockford intersection.

I think it would be a good next step to arrange a meeting between you/your client and our neighborhood subcommittee to discuss these issues. We appreciate your time on this matter and look forward to your response.

Respectfully,

J.R. Brown North Hills Resident 5501 Rockford Drive

On behalf of the North Hills Neighbors

CC:

Annette McRoy, City Council Jon Carlson, Planning Commission Becky Horner, City Planning North Hills Neighborhood



APPLICANT January 23, 2005

North Hills Neighborhood, Third and Fourth Additions J.R. Brown 5501 Rockford Drive Lincoln, Nebraska 68521 (402) 617-0493 jrbrown3@hotmail.com

#### **PROPOSAL**

- 1. To amend the City of Lincoln/Lancaster County comprehensive plan to update the Mobility and Transportation section, pages F103, F104, to change the functional classification of "Fletcher Ave., N. 14th St. to N. 27th St" from "Urban Minor Arterial" to:
  - "Urban Collector" as defined in the Comprehensive Plan, "These streets serve as a link between local streets and the arterial system. Collectors provide both access and traffic circulation within residential, commercial, and industrial areas. Moderate to low traffic volumes are characteristic of these streets."
- 2. To amend the City of Lincoln/Lancaster County comprehensive plan to update the Mobility and Transportation section, page F110, "Fletcher Ave., N. 14th St. to N. 27th St. 4 lanes + turn lanes" to read as follows:

"Fletcher Ave., N. 14th St. to N. 27th St. 2 lanes + turn lanes"

#### QUESTIONAIRE

1. Provide a detailed description and explanation of the proposed amendment.

Include the Element (Land Use, Transportation, etc.) to be amended. (Please attach map and legal description if proposal is for specific tract of land.)

By proposing "Fletcher Ave., N. 14th St. to N. 27th St" referred herein as "Fletcher", from a "Urban Minor Arterial" to a "Urban Collector", this clarification aligns Fletcher with the description of Urban Collector set forth in the comprehensive plan. See Figure 1. Fletcher is aligned with the Urban Collector description as:

- a. Fletcher is a link between a local residential and commercial streets and the arterial street system, N.  $27^{th}$  and N.  $14^{th}$ .
- Fletcher provides access and traffic circulation between the North Hills Neighborhood, North Creek Neighborhood, Proposed North Hills Retail, and North Creek Small Business Park.
- c. Fletcher offers motorists from the surrounding residential a safe and convenient way to move from a neighborhood to the arterial street system.



By proposing the down scaling of Fletcher from 4 lane + turn lanes, to 2 lane + turn lanes benefits in many ways to include:

- a. Allows for the allocation funds to higher priority street projects.
- b. Minimizes impact of light, chemical, trash, and other impacts on the wetlands which are maintained by the neighborhood association dues.
- c. Minimizes the impact of additional traffic generated through the neighborhoods.
- d. Decreases the speed at which traffic is regulated near the neighborhood.
- 2. Describe how the proposal is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

Fletcher is only discussed in the comprehensive plan in the capacity mentioned herein. This amendment is only intended to clarify the need of the neighbors and surrounding development while meeting the requirements to move forward on this street project in a well planned and orderly fashion.

3. What do you anticipate will be the impacts (fiscal/CIP, environmental, phasing, etc.) caused by the proposal, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community? If not, what type of benefit can be expected and why?

#### Capital Improvement Program

The Capital Improvement Program will be affected by the change of classification for Fletcher. Monies could be reallocated to higher priority street projects, sidewalk replacement, or inner-city street repair.

#### **Environmental Impact**

This amendment is a positive gain in preserving and protecting the wetlands in which Fletcher runs adjacent to. Chemicals from automobiles, other developments, and lighting would still have an impact on the wetlands; however this impact would be substantially decreased.

#### Capacity Phasing

This amendment allows for the downscaling of Fletcher, which may draw the question, how can this street scale to the future? Currently, the City owns 120 foot wide right-of-way which will be preserved to expand this street to the future as needed and communicated to the neighbors. There is no pressing need or requirement to complete a full build-out of Fletcher at this time.



#### Benefit to the Community

On September 14, 2004, citizens of Lincoln voted down the streets, roads, and trails bond overwhelmingly which sent the signal to Lincoln's elected officials that said a couple of things:

- Citizens want to see plans and direction for street projects.
- Citizens want to be involved in the process.
- Citizens want to take care of what we have first and foremost.

This amendment clearly meets these criteria demanded by the public:

- This amendment provides a plan for the build-out of Fletcher.
- Citizens have endorsed and have been involved in this amendment.
- This amendment affords the opportunity to allocate funds to other projects and improvements to existing streets.

North Hills and North Creek neighborhoods benefit directly in the following ways:

- Large volumes of traffic are minimized, which leads to numerous benefits.
- Additional protection of the wetlands which residences back up to.
- The neighborhood is safer due to the lower speed requirements.
- 4. How would the proposed change comply with the community vision statements, goals, principles, and policies of the Comprehensive Plan? Include any specific page numbers from the Plan, research, or reasoning that supports the proposed amendment.

Found on page I1 and VI, the vision of the comprehensive plan is to address the quality of life and the conservation of the natural environment. This amendment fully supports these two ideals as well as enhancing the health, safety, and welfare of the citizens of the surrounding neighborhood.

5. Is there public support for this proposed text amendment (i.e. have you conducted community meetings, etc.)?

This comprehensive plan amendment has been endorsed by residents of North Hills, Third and Fourth additions.



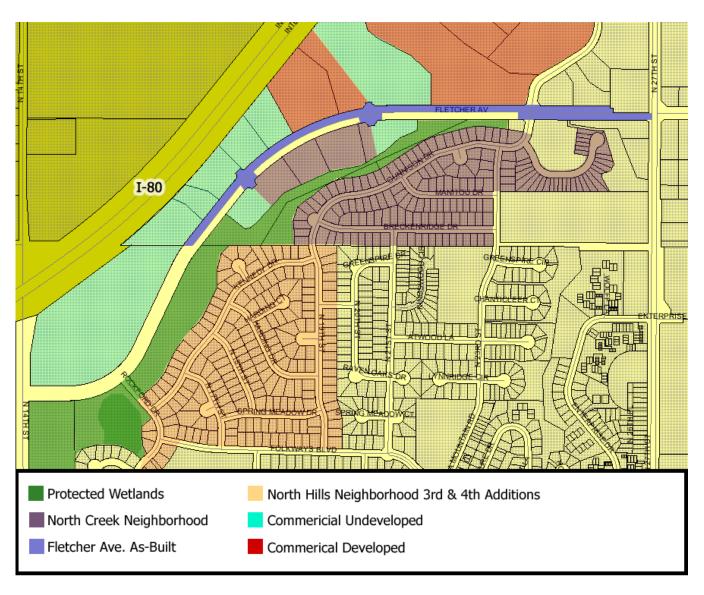


Figure 1. General Area and Land Uses

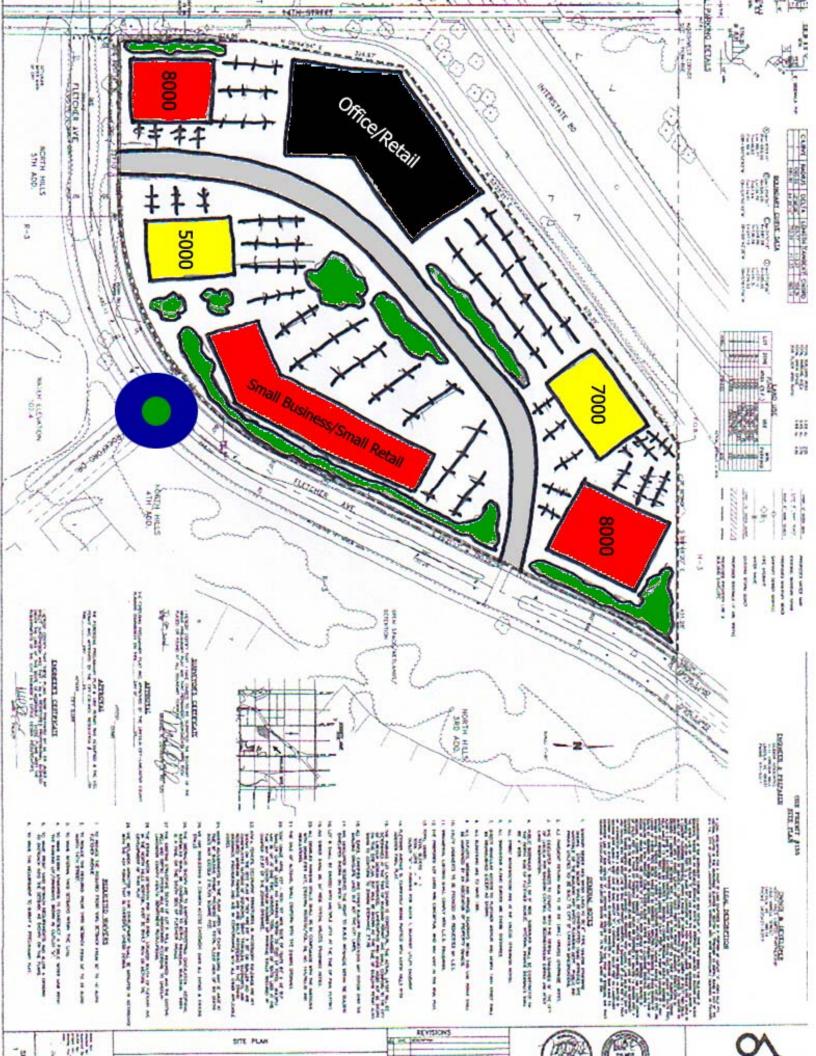


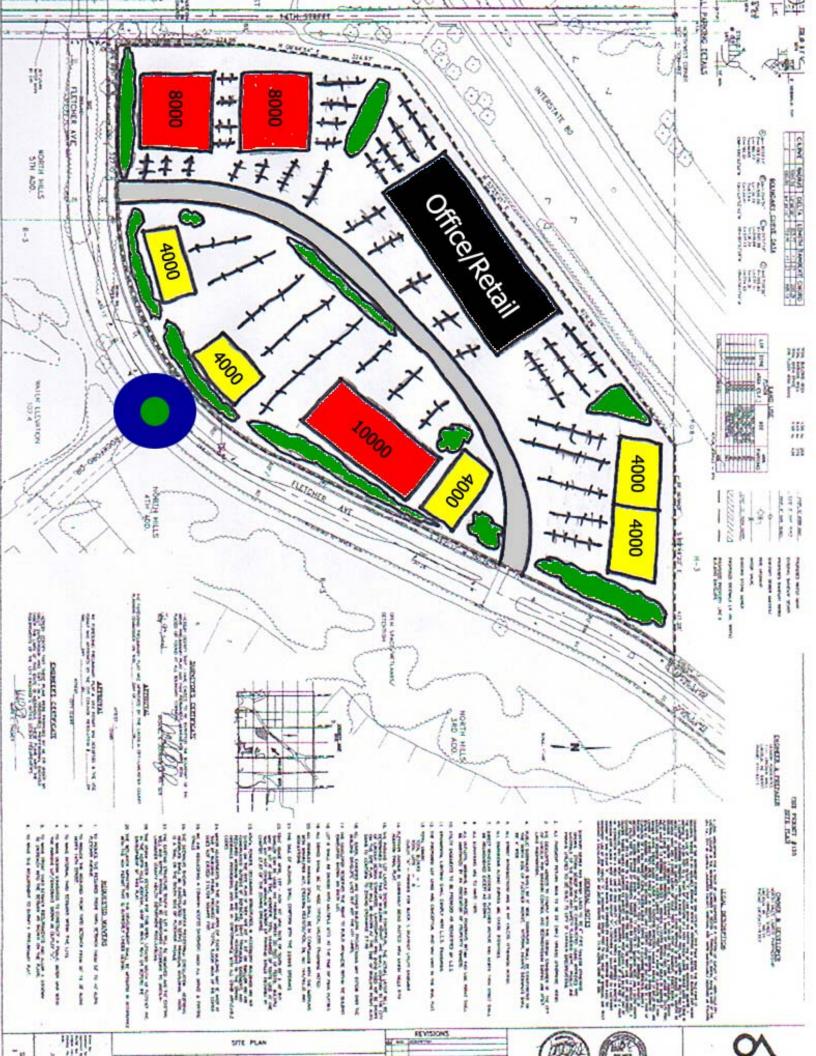
Figure 2. Proposed 14<sup>th</sup> St. and Fletcher Ave. Connection

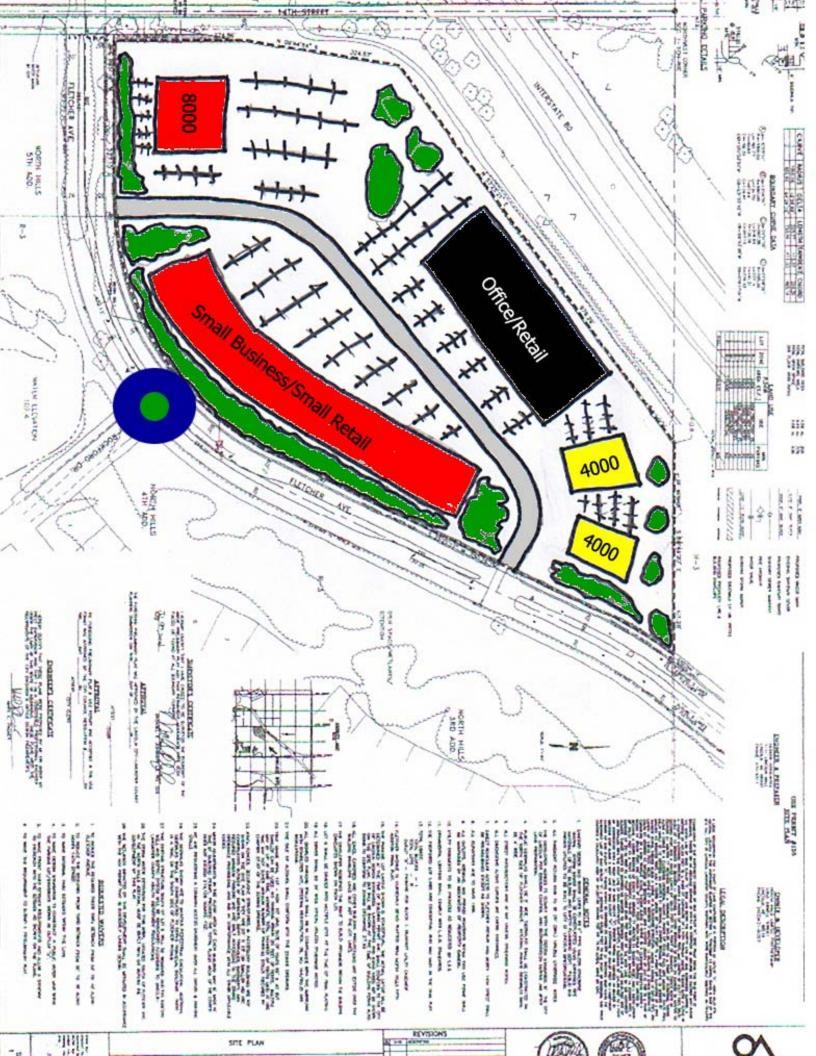


*Figure 3.* Environment/ Wetland Impact of Fletcher Ave.

















#### DO NOT REPLY to this-InterLinc <none@lincoln.ne.gov

To: General Council < council@lincoln.ne.gov>

CC:

Subject: InterLinc: Council Feedback

>

03/15/2005 09:57 PM

InterLinc: City Council Feedback for

General Council

Name: Emily Levine Address: 2615 C Street City: Lincoln NE 68502

Phone: 402 438-3240

Fax:

Email: emily.levine@earthlink.net

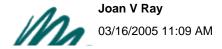
Comment or Question:

As a lifelong resident of Lincoln I am deeply concerned about the quality of life in our neighborhoods. That is why I am urging to consider and support the Change of Zone 05014 for the Near South Neighborhood.

If you have ever owned a decent small home that you're happy in and proud of only to have it ruined by an 8-plex with a bank of air conditioner units running day and night right up against your lovely back yard, you might think about what that feels like.

The developers who build these things would never build them next dor to themselves.

Thank you, Emily Levine



To: CKLTalley@aol.com

CC:

Subject: Re: Near South Neighborhood

Dear Ms. Talley: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

CKLTalley@aol.com



CKLTalley@aol.com To: council@ci.lincoln.ne.us

03/15/2005 10:59 PM

Subject: Near South Neighborhood

To whom it may concern,

I am a proud home owner in the Near South Neighborhood. I'm writing this e-mail in support of the Near South Neighborhood Rezoning Plan-Change of Zone 05014. My husband and I moved into this historic neighborhood almost four years ago. Since we bought our house three other young families have bought houses on our street. We love this neighborhood, we want to raise our families in this neighborhood and we feel that this rezoning would be the best thing for our community.

Thank you for your time.

Christopher and Katee Talley 2650 C Street

CKLTalley@aol.com



To: Benjamin G Rader <br/> strader1@unInotes.unl.edu>

cc:

Subject: Re: bus rates

Dear Mr. Rader: Your message has been received in the Council Office and will be forwarded to the

Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866 402-441-6533 Fax:

e-mail: jray@ci.lincoln.ne.us

Benjamin G Rader <br/> strader1@unlnotes.unl.edu>



Benjamin G Rader <brader1@unInotes.un</pre>

To: council@ci.lincoln.ne.us

Subject: bus rates

03/16/2005 07:19 AM

#### Dear council members,

I am opposed to raising the city's bus rates for low income people. This is a modest subsidy for people who already have an extraordinary difficult time making ends meet. With increases for fares, the task of getting to work and shopping will substantially increase their burden.

sincerely, Ben Rader 3255 W. Summit



To: Sharon R Nemeth < snemeth@unlnotes.unl.edu>

CC:

Subject: Re: Low-income bus passports

Dear Ms. Nemeth: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508 Phone: 402-441-6866

402-441-6533 Fax:

e-mail: iray@ci.lincoln.ne.us

Sharon R Nemeth <snemeth@unlnotes.unl.edu>



Sharon R Nemeth <snemeth@unInotes.u</pre> nl.edu>

Subject: Low-income bus passports

To: council@ci.lincoln.ne.us

03/16/2005 08:32 AM

#### Dear City Council members:

I have been a constant patron of Lincoln's mass transportation system since 1980. In fact, when seeking employment that year I would not even interview for a position unless I could get to the work site via bus. I knew that any additional income I might earn for the family would not be sufficient to cover child care costs AND a second vehicle, so the alternative was to use the city buses for my transportation. The route I have most consistently ridden is East Vine, although I am also familiar with the Bethany and University Place routes. During those 25 years, I have RARELY ridden on a bus that exceeded capacity, although there were a few years on the East Vine bus that we would be crowded until we reached what is now Culler Middle School and the students deboarded.

It seems to me that the city already has a "sunk cost" in providing mass transportation. If some of the seats are being unused, it is appropriate to offer them at a reduced price to help individuals who might otherwise not be employed or miss educational opportunities. Doing so has a long-term positive effect on our community. I encourage you to find a way to continue this program.

Sincerely,

Sharon R. Nemeth 720 West Broadview Drive Lincoln, NE 68505 402-489-3571 (home) 402-472-2333 (office)



Dear City Council Members, Or To Whom It May Concern,

Hi! I, Terri L. Smith, am writing in regards to the Ride For Five Program.

I have to ride the bus, everywhere that I go, since that is the only transportation that I have. I have had epilepsy, since I was six weeks old & do not drive because of that.

The Ride For Five Program, has been very beneficial for me, since I have to live on a very strict budget. If the program, was to be stopped, I would have to walk everywhere. I use to receive, Cab Tickets to go to the Grocery Store & to go to my doctors, but they have been stopped, so the bus is my only transportation. To go to the doctor, I would have to walk, clear across town. Since my food stamps, have been dropped to \$20 a month, I would not be able to afford the entire \$30.

So, Please consider continuing, the Ride For Five Program.

Thankyou for your time & consideration of this matter.

Sincerely,

Terri L. Smith

Jani L. Smith

816 "G" Street, Apt 6 Lincoln, NE 68508 TAR 1.6 2015

OTHER COUNCIL

March 13, 2005

att: City Council members We support the change of I one 05014-Near South Neighborhood.

We have owned our house in this neighborhood for thirty eight years. We Delieve This would be the best thing that could happen for everyone, without hurting the current apartment house owners also. We have schools that are within walking distance for elementary, middle I high school students. This would help The parking problems with no new large apartment linto. apartment Completes need at least two parking spaces per unit. Maybe this would make some of the (rental) owners of some homes been them up instead of letting them run down . Then they want toput in a large apartment Complete. We have enough Oleace give this Change your approval. Thank you for your time, Don't Duline Muthersbaugh 1225 So 23 68502

March 16-Wed., 2005

FAX TO:

Lincoln Planning & Zoning Commission

441-6377

Lincoln City Council

441-6533

RE:

CHANGE OF ZONE NO. 05014 (Near South Neighborhood)

As a homeowner, I SUPPORT the change to R-2.

FROM: Janice K. Harroun

1932 South 14 Street Lincoln, NE 68502 402-477-9581



#### DO NOT REPLY to this-InterLinc <none@lincoln.ne.gov

To: General Council <council@lincoln.ne.gov>

CC:

Subject: InterLinc: Council Feedback

>

03/17/2005 08:08 AM

InterLinc: City Council Feedback for

General Council

Name: Rena Worth Address: 1203 S, 23

City: Lincoln, NE. 68502

Phone: Fax:

Email: Rena@L-housing.com

#### Comment or Question:

I am writing in support of keeping the "Ride for Five" program at the current rate of \$5.00 per pass. I work at the Lincoln Housing Authority and many of our tenants depend on the Bus System for their means of transportation. \$5.00 is an affordable amount for many to pay, and with the current gas prices, this is a good option for many. I encourage many especially thoses who live in our units at Arnold Heights to ride the bus.





March 15, 2005

Terry Warner City Council Office City-County Building 555 S. 10<sup>th</sup> St. Lincoln, NE 68508

Dear Terry Warner:

It has come to my attention that the city wants to cut vital public services.

I would like to take this time to express my opposition to the cuts in the city's bus system and other services. I am ashamed of the cuts and would rather see a tax increase. I didn't vote for city officials to punish me by cutting off vital services. If these proposed cuts were to be implanted, I would have to relocate. I like living here because of the low crime rate.

If you would like to contact me regarding this issue, I can be reached at 435-8772. Thank you for your time and consideration.

Sincerely yours.

J. T.

Jamie Taylor de la particula de la persona d





March 15, 2005

Terry Warner City Council Office City-County Building 555 S. 10<sup>th</sup> St. Lincoln, NE 68508

Dear Terry Warner:

It has come to my attention that the city wants to cut vital public services.

I would like to take this opportunity to express my opposition and concerns regarding the cuts in the city's bus system. Lincoln is growing like leaps and bounds. There are people who rely on the busses to get to and from work and who are unable to drive. I am one of those individuals who requires the busses to get around town because I'm visually impaired. If these proposed cuts were to be implanted, I will have to relocate. I enjoy living here because of the low crime rate and I feel that Lincoln is a beautiful city.

If you need to contact me regarding this issue, I can be reached at 438-9363. Thank you for your time and consideration.

Sincerely yours.

Larne Shoyo

Tanna Shoyo

The content of the co



# ADDENDUM TO DIRECTORS' AGENDA MONDAY, MARCH 21, 2005

#### I. MAYOR

- 1. NEWS RELEASE RE: Section Of North 16<sup>th</sup> Street To Close Permanently-Section of North 17<sup>th</sup> to close temporarily for water main work -(See Release)
- 2. NEWS RELEASE RE: Lincoln Water System Reports Water Main Break -(See Release)
- 3. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of March 19-24, 2005-Schedule subject to change-(See Release)

#### II. CITY CLERK - NONE

#### III. CORRESPONDENCE

- A. COUNCIL REQUESTS/CORRESPONDENCE NONE
- B. DIRECTORS AND DEPARTMENT HEADS

#### **BUILDING & SAFETY**

1. Response Letter from Bob Siemsen, Chief Plumbing Inspector to Rod Hornby - RE: Question about charging twice for an unfinished basement bathroom - (Council received a copy of this letter in their Thursday packets on 3/17/05) (See Letter)

#### C. MISCELLANEOUS

- 1. E-Mail from Dayna Krannawitter, Carol Yoakum Family Resource Center RE: Please continue the 'Ride For Five' Program -(See E-Mail)
- 2. Letter from Arthur Brannan RE: Please continue the 'Ride For Five' Program-(See Letter)
- 3. E-Mail from Dwayne Wilson RE: The Great Bus Pass Debate-(See E-Mail)
- 4. E-Mail from Kelly Helm Smith, Program Facilitator, African Community Center RE: Please maintain the 'Ride For Five' Program-(See E-Mail)
- 5. E-Mail from Mary O'Hare RE: Urge you to support the resolution to continue funding of the 'Ride For Five' Program -(See Material)

  daadd032105/tjg



# NEWS RELEASE

MAYOR COLEEN J. SENG

incoln.ne.gov

### PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

FOR IMMEDIATE RELEASE: March 17, 2005

FOR MORE INFORMATION: Kelly Sieckmeyer, Engineering Services, 441-7454

Wayne Teten, Antelope Valley Manager, 441-4939

## SECTION OF NORTH 16TH STREET TO CLOSE PERMANENTLY

Section of North 17th to close temporarily for water main work

Beginning Monday, March 21 after the morning rush hour, North 16th Street between Holdrege and the "Y" Street connector will close permanently to through traffic for excavation of the Antelope Creek channel. The closure also is necessary for construction of the "Big T" roadway south of the Devancy Center, a key part of the Antelope Valley Project. Access to the UNL residence halls will be maintained from the south.

At the same time, North 17th Street between Holdrege and Court streets will close for about two weeks for water main work. Traffic is discouraged in the area until this section of North 17th Street reopens. During this time, all visitors to State Fair Park are directed to use either the new 14th Street entrance or the State Fair Park Drive entrance off of North 27th Street. To reach the two parking lots south of Devaney, motorists are directed to use the 14th Street entrance.

The Antelope Valley Project includes flood control, transportation improvements and community revitalization. About 25 percent of the Antelope Valley flood channel has been built. More information and maps are available on the City Web site at lincoln ne.gov. Information can also be obtained by leaving a message at the Antelope Valley Hotline at 402-458-5999.



NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln ne gov

#### PUBLIC WORKS AND UTILITIES

Lincoln Water System, 2021 N. 27th St., Lincoln, NE 68503, 441-7571, fax 441-8493

FOR IMMEDIATE RELEASE: March 18, 2005

FOR MORE INFORMATION: Steve Owen, Lincoln Water System, 441-5925

Dave Norris, Citizen Information Center, 441-7547

### LINCOLN WATER SYSTEM REPORTS WATER MAIN BREAK

According to Lincoln Water System (LWS), a water main break occurred at about 9:30 a.m. today near N.W. 12th Street and Interstate 80. The water main was damaged by a private contractor performing work in the area. As a result of the water main break, water pressure in the area was briefly decreased but pressure in the system was maintained. LWS officials indicate that some rusty water was reported in the area, which is a common occurrence when valves must be operated to isolate the break for repair. Other than some discoloration, the water is safe to drink and use as normal. Lincoln Water System crews thoroughly flushed the water mains and advise customers in the area of N.W. 12th Street and Comhusker Highway to do the same in their homes and businesses if they experience rusty water.

If individuals have questions regarding their water service, please contact the Lincoln Water System at 441-7571.



# NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

Date: March 18, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Seng's Public Schedule
Week of March 19-15, 2005

Schedule subject to change

#### Saturday, March 19

- Volunteer at Food Share 7:30 a.m., Fourth Presbyterian Church, 5200 Francis
- Easter Egg Hunt, remarks 1:15 p.m., Calvary Community Church, 4400 North 1st Street

#### Monday, March 21

• Funeral for Alice Abel - 11 a.m., First Plymouth Congregational Church, 2000 "D" Street

#### Tuesday, March 22

- Sunrise Kiwanis breakfast, remarks 6:30 a.m., Madonna Rehabilitation Hospital,
   Sheridan Room, 5401 South Street
- KLIN call-in show 8:10 a.m., 4343 "O" Street
- Citizenship Issues Class, interview 12:30 p.m., Mayor's Conference Room, 555 South 10th Street

#### Wednesday, March 23

- Lincoln Police Department recruits, remarks 4 p.m., Mayor's Conference Room, 555
   South 10th Street
- Air Park West Recreation Center, grand opening of computer lab, remarks 5 p.m., 3720
   N.W. 46th Street

#### Thursday, March 24

- News conference at Earth Wellness Festival 9:30 a.m., Southeast Community College, room B-1, 84th and "O" streets
- Reception for Cordelia Okoye, Community Health Services Manager 3 p.m., Lincoln-Lancaster County Health Department, 3140 "N" Street

March 17, 2005

Rod Hornby 5831 S. 58<sup>th</sup> Street, Suite A Lincoln NE 68516

Dear Mr. Hornby,

This communication is in response to your letter of March 2, 2005.

You asked the question about charging twice for an unfinished basement bathroom. The initial plumbing permit and inspection on a newly constructed home covers all aspects dealing with plumbing fixtures being installed. A groundwork inspection (which is the work under the slab) is done as well as looking at the rough-in for a future bathroom. If a basement bathroom is finished at the same time a new house is being constructed there are no additional fees. After all permits are finaled, an Occupancy Certificate is issued for the house.

If the owner decides to install a bathroom in the basement at a **later date**, a new plumbing permit along with electrical, mechanical, and building permits would be required for the basement bathroom construction. The new plumbing permit inspections would include: Initial inspection involves checking for the right size, and right material for the water lines, that nail plates are installed to protect the water, waste, and vent lines prior to the drywall being installed. The final inspection when construction and installation are done involves checking for the proper shut off valves on the water lines to the fixtures, that the proper material is used for the water supply lines from the shut off to the fixture, that the base of the toilet has caulking around it, run water in the fixtures to check for leaks and that cold and hot water are on the right and left side, and flush the toilet to check for leaks. Cost of the plumbing permit and inspections is \$18.00.

Rod Hornby March 17, 2005 Page 2

The second question you raised was on the sizing of water heaters in new construction when the basement is not going to be finished.

On October 1<sup>st</sup>, 2003 the Uniform Plumbing Code was adopted with amendments that changed the sizing criteria for water heaters. In Lincoln, our process of code adoption includes proposals and reviews by an appointed Plumbing Code Task Force Committee. In the Uniform Plumbing Code, Table 5-1, the size of the water heaters are based on the number of bedrooms and bathrooms. This table along the rest of the Uniform Plumbing Code is continually reviewed and updated with the help of Code Officials, Engineers, Architects, Builders, Manufacturers and other Industry Related Professionals around the country. If there are future bedrooms and bathrooms these would need to be considered when sizing the water heater. Trends show most basements are finished within a few years of construction and it would not be very cost effective to have the homeowner put in a water heater that cost \$400-\$500 and then come back a few years later and make the same homeowner put in a new water heater for \$500-\$600 when the basement is finished. Saving \$100-\$150 on the front end would end up costing the homeowner \$500-\$600 more to replace a smaller water heater with a larger water heater to take care of future rooms finished in the basement.

The third question asked was to require a pan under the washing machine.

Although that is not a Plumbing Code requirement at the present time, any builder has that option to do right now. As you said the pans are inexpensive to install when the home is under construction and that would be a great time for a contractor to put that in to prevent future damage from a washer. However, a pan would not be very effective in preventing water damage if a hose burst without a floor drain system.

When the Plumbing Code is reviewed and updated I will bring this suggestion to them for review for possible adoption in a future code.

I know you have discussed this with Chuck Zimmerman with the Building Services Section, but if you wish to discuss this further, please feel free to contact me at 441-6408.

Sincerely,

Bob Siemsen Chief Plumbing Inspector

pc:

City Council Mayor Seng, Mayor's Office Mike Merwick, Director, Bldg & Safety Dept., Ron Peery, Manager, Bldg & Safety Dept.

File



To: CouncilPacket/Notes@Notes

Subject: Please continue Ride for 5

---- Forwarded by Joan V Ray/Notes on 03/17/2005 03:56 PM ----

03/17/2005 03:51 PM

Joan V Ray

To: <DaynaK@I-housing.com>

CC:

Subject: Please continue Ride for 5

Dear D. Krannawitter: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Rav

City Council Office 555 South 10th Street Lincoln, NE - 68508

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

---- Forwarded by Joan V Ray/Notes on 03/17/2005 03:31 PM ----



Dayna Krannawitter <DaynaK@I-housing.c

om>

03/17/2005 03:31 PM

To: "council@ci.lincoln.ne.us" <council@ci.lincoln.ne.us>, "cseng@lincoln.ne.gov" <cseng@lincoln.ne.gov>

Subject: Please continue Ride for 5

Dear City Council Members and Mayor Seng:

The Carol Yoakum Family Resource Center is part of the Ride for 5 bus pass program. We serve the Air Park area of Lincoln which is geographically isolated from much of the rest of the city and bus passes are particularly important to our low-income families. Many high school students have begun purchasing passes to get to and from school. In fact one respondent of the bus pass survey that we did said that her grandson had to stay home from school when they ran out of money for bus passes in the past. With the \$5 bus passes, this young man is able to get to school every day. Many others were grateful for the program because it has helped ease their financial burden in getting their kids to school and themselves to work.

Five dollars may not sound like a lot to you and me but for many of our families it may be the difference between a day at school or work and staying at home. Please find the money to keep the \$5 bus passes for low-income families. I also ask that you find a way to keep this program from being capped at 1,000 passes which would further reduce our ability to serve the families who are in greatest need.

Thank you.

Dayna Krannawitter Service Coordinator Carol Yoakum Family Resource Center 4621 NW 48th Street Lincoln, NE 68524 402-434-2621

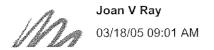
Fax 402-434-5585 DaynaK@L-housing.com Ladies and gentlemen of the city-council-members.
"I wonder if, your-council-member, would-be so-kind-hearted to continue the-(:Ride-for-Five-program-it-will help as lot-of-people-too, 1.Doctors-appointment's 2.WoRk-force 3.Schools, College and/or, University.

THANK-YOU!! , for your time and I would like to expression Two you all a big (:TANK-YOU:) Of, gratitude-to all for the "ride for five-program.

400 (00 (00) 2 mg

AK 182005

WEIGHT



To: "Caryll Palmer Wilson, Ph.D." <cw04436@alltel.net>

cc: (bcc: CouncilPacket/Notes)

Subject: Re: The Great Bus Pass Debate

Dear Mr. Wilson: Your message has been received in the Council office and will be forwarded to the Council Members for their consideration. Thank you for offering concrete solutions to this community concern. Your input is appreciated.

Joan V. Ray City Council Office 555 South 10th Street Lincoln, NE - 68508

Phone: 402-441-6866 Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Caryll Palmer Wilson, Ph.D." < cw04436@alltel.net>



"Caryll Palmer Wilson, Ph.D." <cw04436@alltel.net> To: council@ci.lincoln.ne.us

CC:

Subject: The Great Bus Pass Debate

03/17/2005 05:01 PM

o whom it may concern:

In reading the column by Deena Winter in the Lincoln Journal Star, I wondered if a shared cost/benefit approach might be considered in this situation.

Perhaps, the businesses that reap a sale due to the delivery of a customer to their door by a bus or handy bus, might share in some of the expense of the project.

There may be numerous ideas of how this might be accomplished, but the following is my idea.

A solicitation of businesses to participate in the project would be the first step.

>From this list sheets of stickers or *Buss Boosters* would be provided to each participating business.

The recipients of reduced fare passes would be offered a Buss Booster Card.

These cards filled with *Buss Boosters* would be turned in when purchasing the next buss pass, allowing a reduction in price of purchase.

Each business would contribute an amount monthly equivalent to the total value of all boosters on cards, which could be tallied as a project assigned by the Human Services Department, perhaps by the Lancaster County Senior Centers, as they might have the most to gain by reduced fares.

Names of the participating business could be published somewhere for public record, and the business could write off the expense.

This may be too cumbersome, and expensive for what it accomplished, but may stir some thought as to how a sharing of costs might be approached.

Dwayne Wilson 7524 Karl Drive



To: CouncilPacket/Notes@Notes

Subject:

older African man needs help with even \$5 bus pass

---- Forwarded by Joan V Ray/Notes on 03/18/2005 03:08 PM ----



pop2779@binary.net

03/18/2005 02:40 PM

To: council@ci.lincoln.ne.us

cc: bbrasch@centerforpeopleinneed.org

Subject: older African man needs help with even \$5 bus pass

Dear City Council,

Please maintain the Ride for Five program. Even \$5 is a challenge for some of the immigrants and refugees we work with. I am thinking in particular of an older man, an African immigrant with some health problems, who speaks little English, and needs a bus pass so he can make it to exercise class and otherwise connect with the community. I think my neighbor's daughter's Girl Scout Troop is going to provide the \$5 for a month's pass for him, as his monthly benefits do not even stretch that far.

Please, help Lincoln keep moving forward in upgrading its public transportation services.

Thank you,

Kelly Helm Smith Program Facilitator African Community Center 1225 F Street Lincoln, NE 68508 402-477-6926 402-477-6924 - fax Ride for Five Support Mary O'Hare 1205, S. 25<sup>th</sup> Lincoln, NE 68502 402-475-8022

#### Council Members:

I am urging you to support the resolution to continue funding of the Ride for Five program. I am becoming increasingly aware of this community's apathy towards its citizens with disabilities, which is based on unwarranted fear and ignorance of its leadership and citizenship. I have worked in the disability field in this city for over 25 years and have never felt as discouraged about the lack of respect and understanding displayed throughout the city. Now you are actually adding fuel to the fire as you debate taking away a program that is essential for people with disabilities to live, work and play in this city. Let me take you through a series of events to demonstrate my point that this city is "turning a blind eye" to persons with disabilities.

- April2004 A terrible incident occurs at a group home in Airpark. A young boy is assaulted. It should have never happened, but it did. A neighborhood meeting is called. The press is there, State Senators are there, City Council members are there, the Chief of Police is there and the neighbors are there. The group home administration takes its beating. As I watched this unfold, I felt like I was attending an old-fashioned lynching, not of the group home administration but of all of the citizens of Lincoln with developmental disabilities who are trying to fit in with the rest of us. Public comments were made such as putting bells around their necks, building fences, and keeping them under lock and key in their own homes, even thought they are private citizens, not state wards or under any type of court ordered restrictions.
- June-October 2004The Mayor appoints a task force to "examine the City's laws and regulations governing group homes and congregate housing. The task derived from a Comprehensive Plan requirement and outlined by the Mayor is to balance the objective of providing effective and efficient services to the City's special populations while protecting the integrity and stability of Lincoln's residential neighborhoods.... The City of Lincoln regulates group homes and other congregate living arrangements through several ordinances. The Task Force was asked to focus on the zoning ordinance and recommend any changes necessary to improve the City's ability to provide appropriate housing opportunities for people with special needs." (Task Force Draft Final Report, October 13, 2005) The following is what the Task Force actually did and did not do.
  - o The Task Force considered the perspective of state and local officials, service providers, and neighbors but not citizens with disabilities living in group homes or advocacy groups such as Arc, NAMI, League of Human Dignity, Region V DD Council, Nebraska Advocacy Services, etc. The Task Force went beyond the scope of its charge as can be seen in the following statement from their draft report: "The concerns and issues shared with the Task Force cannot be adequately addressed

through land use controls alone. Therefore, the Task Force has provided recommendations that **do not address zoning regulations**, but attempt to improve the overall administration of group home services within the community." This is outside of the expertise of Task Force members. At this point, the Task Force should have been reconfigured to include persons living in group homes, providers administering group homes, and advocates.

- o The Task Force recommends the City develop a reasonable accommodation process, but there are no details on how this will be accomplished. The report states: "the process should provide a review by the appropriate body having jurisdiction over the subject matter, and be acted upon by the City Council." The design of a reasonable accommodation process should have been a high priority for the Task force and well within their level of expertise.
- The Task Force recommends that group homes apply only to persons with disabilities and not persons residing together as an alternative to imprisonment or children's homes. This is inconsistent with the intent of creating special zoning laws based on occupancy, health and safety, and density. If the intent of zoning laws were to protect welfare of individuals and neighborhoods, why would it apply only to group living situations of citizens with disabilities?
- Occupancy laws should be based on whether a group home creates an undue burden or expense for the local government or fundamentally alters the single-family character of the neighborhood rather than whether the providers will benefit economically. (Quotes from Fair Housing Documents-attached) The Task Force draft states: "although concentrating facilities may serve the economic and efficiency interests of providers, it does not serve the goal of providing a traditional residential setting for the residents. The Task Force determined the economic benefits to paid providers achieved by clustering group homes do not outweigh the benefits of providing a traditional residential environment." Individual rights of citizens with disabilities and nationwide court cases were not significantly considered when making recommendations on group home occupancy zoning laws.
- The Task Force addressed the identification of dangerous residents: "Task Force recommends a definition for dangerous residents be adopted. Once defined, facilities for dangerous residents should be required to maintain separation from other congregate facilities serving potential vulnerable populations." Numerous questions arise determining who is dangerous: who will be considered dangerous, who decides they are dangerous, how long are they dangerous, will this result in a city wide identification of dangerous people, will all neighbors be required to undergo dangerous testing or just individuals with disabilities?
- The Task Force encourages providers to accept the responsibility to meet with neighbors to inform them of proposed occupancies and address neighbors' concerns before locating in a neighborhood. This is not appropriate in all cases and can lead to undue fear, prejudice, and breach of confidentiality of persons living in

the home. Other citizens are not encouraged to share physical or mental disabilities with their neighbors before moving into a neighborhood.

o The Draft Recommendations does not directly address the ½-mile density law. The Department of Justice and HUD take the position and most courts (Quotes from Fair Housing Documents-attached) that have addressed the issue agree, that density restrictions are generally inconsistent with the Fair Housing Act.

Some of my concerned colleagues and me met with Jon Cook to discuss these issues during the course of the Task Force's work. Unless discussed outside of the open meeting, Mr. Cook did not share our concerns with the Task Force. We were asked by the City employee staffing the planning group to provide additional information, we did that. As far as we know, the information was not shared with the Task Force. The City employee invited us to address the group, but on the day we were supposed to present our information, we were not on the agenda and not allowed to speak to the task force.

In addition, I was very dismayed at Chief Casady's involvement on the committee. The Mayor's Task Force was presented with data from the Lincoln City Police department that listed 1,670 dispatches to "Group Homes" in 2003. (2003 Police Dispatch Data-Dispatches to Single Address (not apartment) Group Homes, 2003Printed: 10/5/04) The review of police data by a Task Force designed to create group home zoning laws serves little purpose except to create a perception that individuals with disabilities present an undue burden on the community. It does not lend any insight into how to develop occupancy or dispersion zoning laws or a special accommodation process required by the Fair Housing Act.

The dispatch data is not analyzed by factors which would have provided the Task Force, State Senators (the data was presented by Chief Casady at a Legislative hearing) and the public (the data was used in a Lincoln Journal Star article to demonstrate problems with group homes in Lincoln) a clearer picture of the large number of police dispatches to facilities serving persons with not only developmental disabilities but elderly, children, mental illnesses, etc. The following are concerns that arise from the lack of data analysis. The concerns are supported by attached tables that analyze the data.

- Table 1. depicts the number of calls to facilities having more than 1% of the total 2003 police dispatches. As can be seen in <u>Table 1</u>, the majority of the facilities with police dispatches are not developmental disabilities providers. Two of the facilities, Cornhusker Place and Center Point Outpatient, are not even residential facilities. Also included in the facilities is the Community Mental Health Center and Bryan-Lincoln General Hospital. <u>Table 2</u>. depicts the percent of dispatches to each of the Lincoln agencies with over 1% of the total number of dispatches.
- 2. <u>Table 3.</u> depicts police dispatches by licensure. LicensedCenters for Developmental Disabilities represent a very small portion of the total number of dispatches: 113 of 1670 or 7% of total dispatches. Licensed and Unlicensed small group homes (less than three residents) for persons with developmental disabilities represent 297 of 1,670 dispatches or 18% of the total dispatches.
- 3. <u>Table 4.</u> is the dispatches to Health Care Facilities. By definition of the Lincoln City

Code, Health Care Facilities have more than 15 beds and do not fall within the definition of a group home. Therefore, when examining dispatches to group homes, these agencies should not be considered in the mix.

- 4. The severity of the situation (i.e. parking vs. assault), source of the dispatch (neighbors vs. staff), and initiator of the conflict (group home member or other community member) is not analyzed.
- 5. There is no community-at-large comparative data to determine the severity of the problem.

A colleague and I met with Chief Casady to discuss our concerns. Chief Casady did not even look at our data analysis. He was not interested in further analyzing the data so the data would better reflect the problem. In addition, when we presented Chief Casady with an update of fair housing cases pertaining to the occupancy and dispersion zoning laws (attached) that were contrary to the current zoning laws in Lincoln, he indicated that the City makes laws all the time that they know will be challenged in court so people can stay in office.

**August2004:** Lancaster County cuts all county funding to Lincoln developmental disability providers. Although this is obviously not an action that could have been controlled by the City Council, it further demonstrates the lack of commitment to citizens with developmental disabilities.

March 2005:The Ride for Five program is on the funding chopping block. Providers and advocates are dedicated to promoting the community inclusion of persons with developmental disabilities. They spend hours trying to figure out ways people can be positively included in Lincoln's employment opportunities and recreational events. Pulling out funding for the Ride for Five program will again send a message that this population is one that City and County leaders would rather not see on the streets of Lincoln. In light of the beating this population has endured over the past several months, I urge you to send a positive message to the citizens of Lincoln experiencing not only disability, but also a poverty level existence.

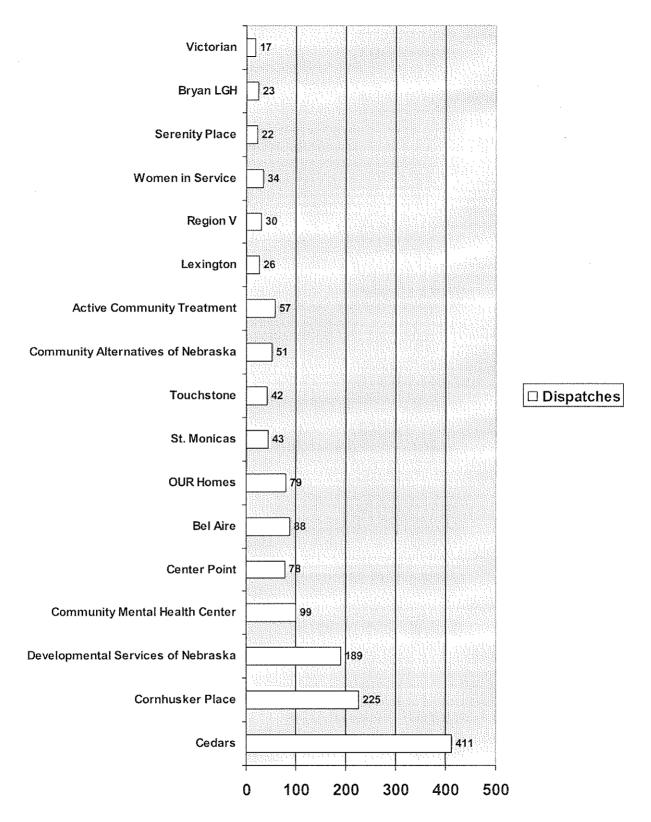
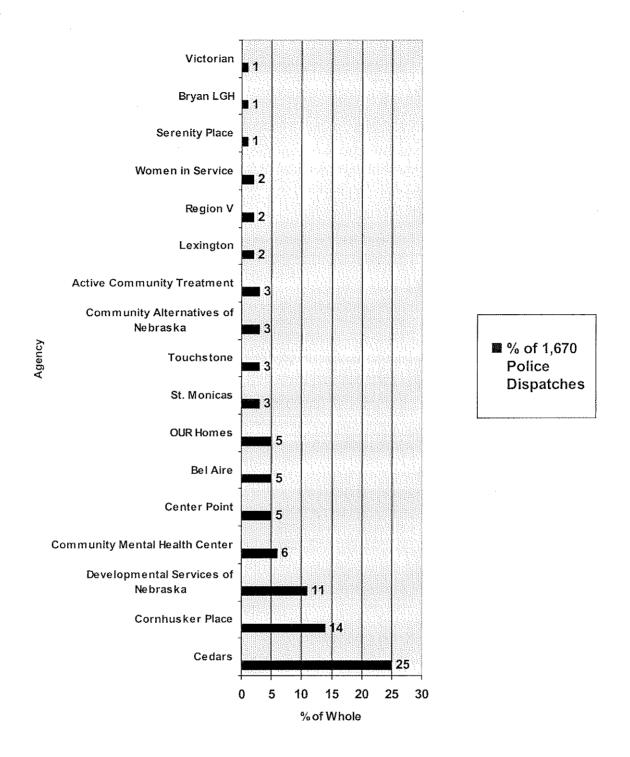
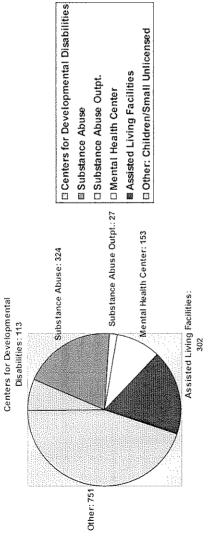


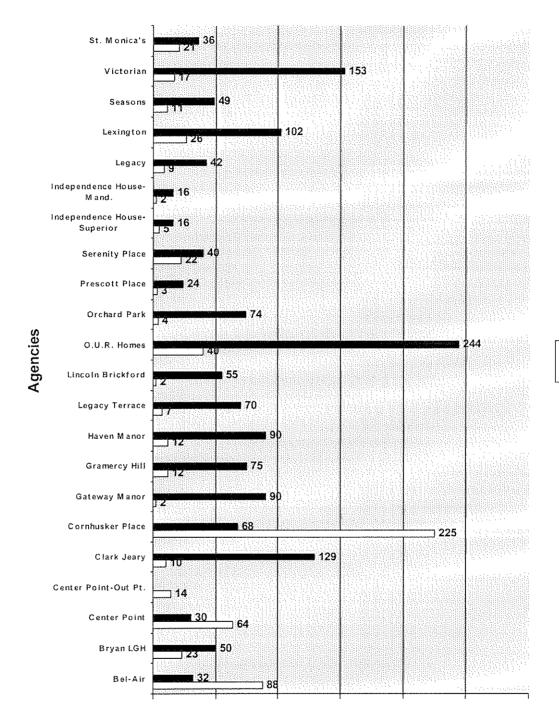
Table 1. Lincoln agencies receiving 1% or more of the 1,670 police dispatches reported in 2003.



<u>Table 2.</u> Percent of the total 1,670 Police Dispatches in 2003 for agencies with 1% or more of the total number of calls.

Table 3, 2003 Lincoln Police Dispatches to facilities based on licensure.





■ Beds

□ Dispatches

The following direct quotes are taken from documents analyzing the Fair Housing Act, its application to municipalities, and various court decisions.

#### **Dispersion Requirements**

"One of the bedrock principles behind the Fair Housing Act's protections for housing for people with disabilities is that the residents should be able to live in an integrated residential setting of their choice. However, this principle often has been defeated by municipal rules that require a certain amount of space between facilities (otherwise known as dispersion requirements)."

"Most courts, among them the federal circuit that includes Tennessee, have held that cities may not impose dispersion requirements on housing for people with disabilities. Though the stated purpose of dispersion requirements is often to aid the integration of people with disabilities into communities and to prevent "ghettoization" of housing for people with disabilities:

"Integration is not sufficient justification for maintaining permanent quotas under the FHA or the FHAA, especially where, as here, the burden of the quota falls on the disadvantaged minority..... The FHAA protects the right of individuals to live in the residence of their choice in the community... If the state were allowed to impose quotas on the number of minorities who could move into a neighborhood in the name of integration this right would be vitiated." Larkin v. State of Michigan A Place to Call Home pg. 9

"In Larkin v. Michigan Department of Social Services, the state of Michigan argued that its spacing restriction helped integrate people with disabilities into the community and served the goal of deinstitutionalization by preventing a cluster of group homes for people with disabilities form recreating an institutional environment in the community. The court however held that the state failed to show how the special needs of people with disabilities warranted this intervention. Specifically, the court noted the lack of any evidence suggesting that clustering would occur without government intervention. The state failed to show that its spacing restriction would actually further the possibly legitimate goal of deinstitutionalization."

Fair Housing: The Siting of Group Homes for the Disabled and Children pg. 18

"An area of agreement between the National League of Cities and Advocates of the Coalition: "Local governments have an obligation to promote equal housing choice for people with disabilities and at-risk children. However, when extreme clustering of group homes threatens to re-create an institutional environment and to fundamentally alter a community's zoning scheme elected officials have both the power and the obligation to intervene. Localities have a range of tools to encourage the integration of group homes through the entire community, including development and financial incentives." Fair Housing: The Siting of Group Homes for the Disabled and Children pg. 15

As a result of well-organized neighborhood opposition, group home operators have often

looked for less risky locations, often in inner-city neighborhoods without political organizations and with less strict zoning laws. This, of course, led to concentration, which some believed worked against the central tenet of community-based care."

"The response in some cities was the development of spacing requirements and "fair share" guidelines which, continue to be legally contested territory. Fair share statutes in the form of dispersal requirements are a clear violation of the Fair Housing Act. To deny a group home entry into a particular neighborhood is discriminatory on its face."

"Advocates believe the assumptions behind fair share are destructive because the term itself implies that social service facilities are a burden, undesirable addition to a neighborhood-a perception based on myths. The authors of this guide believe that a far better solution to preside over concentration of housing for people with disabilities in low-income neighborhoods is a system of financial supports that enable developers of such housing to buy properties in all kinds of neighborhoods. When real estate prices are less of a factor in site selection, dispersal can occur naturally without possibly illegal government restrictions of further development of group homes in certain areas."

A Place to Call Home pg. 22

Question: "When, if ever, can a local government limit the number of group homes that can locate in a certain area?"

"Some state and local governments have tried to address this concern (fair share by enacting laws requiring that group homes are at a certain minimum distance from one another). The Department of Justice and HUD take the position, and most courts that have addressed the issue agree that density restrictions are generally inconsistent with the Fair Housing Act. We also believe, however, that if a neighborhood came to be composed largely of group homes that could adversely affect individuals with disabilities and would be inconsistent with the objective of integrating persons with disabilities into the community. Especially in the licensing and regulatory process, it is appropriate to be concerned about the setting for a group home. A consideration of over-concentration could be considered in this context. This objective does not, however, justify requiring separations which have the effect of foreclosing group homes from locating in entire neighborhoods."

Joint Statement of DOJ and HUD pg. 5

#### **Special Safety and Procedural Rules**

"Because of unsupported fears about community safety and concerns about resident safety, municipalities have often either barred housing for people with disabilities altogether or grudgingly allowed homes for people with disabilities and other arrangements on the condition that they comply with onerous safety and other procedures not required of other congregate living arrangements. Courts that have dealt with this issue have generally struck such requirements down as discriminatory." Bangerter v. Orem City, Utah

A Place to Call Home pg. 10

#### **Property Values**

"Concern about falling property values can only occur if people with disabilities are seen as a problem, a threat, as a group that will cause upheaval if "allowed into" a community. Starting from the inaccurate premise that people with disabilities are a burden on a community, most neighborhoods will fight homes for people with disabilities with a set of beliefs unsupported by evidence. In reality, homes for people with disabilities have little to no negative impact on a neighborhood's property values or on its crime rates. "Fair share" arguments rest on the assumption that people with disabilities are a burden." A Place to Call Home pg. 15

"Daniel Lauber's influential 1986 study of Illinois found no negative effect on property values. He examined 2,261 properties in Illinois for two years before and after group homes were introduced. Lauber's findings: property values rose 79% in neighborhoods with group homes, but only 71% in the control group. Similarly a 1990 review of 25 studies conducted throughout the US found none that showed a decrease in property values or increased turnover. Studies through the US and Canada show the same effect-property values in neighborhoods with group homes increased or decreased at the same rates as those without group homes. Wolpert's study of 42 neighborhoods found, "without exception, the location of a group home or community residential facility for mentally disabled people does not adversely affect property values or destabilize a neighborhood."

A Place to Call Home pg. 16

#### **Occupancy Limits**

"Two areas in which zoning ordinances can intentionally or unintentionally discriminate against people with disabilities and children are in the definition of the term "family" in a zoning code and in the imposition of occupancy limits..... In the case of City of Edmonds v. Oxford House, Inc., the Supreme Court cited this section in ruling that capping the number of occupants in a group home in order "to prevent overcrowding in living quarters" is permissible under the FHA. In other words restrictions that apply uniformly to all people, whether or not related, cannot be subject to discrimination lawsuits."

"However, the Court went on to hold that a zoning ordinance may violate the FHA if it defines family units or maximum occupancy differently for related and unrelated people. The Court did not decide whether such a zoning ordinance is per se discriminatory under the FHA. One way to avoid liability, though, might be for local governments to consider removing family composition rules from their zoning ordinances and instead place occupancy limitations in state or local housing codes, which apply uniformly to all people, related or not."

Fair Housing: The Siting of Group Homes for the Disabled and Children pg. 6

"Of course, group homes are not permitted to house limitless numbers of residents. As discussed above, municipalities can still set a reasonable cap on the number of residents

in a single-family home, can continue to impose uniform occupancy rules that limit the number of people per room, and can enforce nondiscriminatory laws designed to protect public safety and health."

Fair Housing: The Siting of Group Homes for the Disabled and Children pg. 10

Sample Reasonable Accommodation Guidelines

Fair Housing: The Siting of Group Homes for the Disabled and Children pg. 11

#### Sources:

A Place to Call Home: Addressing Opposition to Homes for People with Disabilities in Tennessee Neighborhoods. Third Edition, summer, 2003

Fair Housing: The Siting of Group Homes for the Disabled and Children. Cameron Whitman and Susan Parnas. Copyright @ 19999 National League of Cities Washington, D.C.

Questions and Answers on the Fair Housing Act and Zoning. Joint statement of the Department of Justice ant the Department of Housing and Urban Development.

#### **Additional Websites**

Bazelon Center for Mental Health Law: http://www.bazelon.org

Building Better Communities Network: http://www.bettercommunities.org

http://www.habitat.org/how/propertyvalues.html

http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?db=pubmed&cmd=Display&dopt=pubmed\_pubmed&from\_uid=4069004

#### DIRECTORS' MEETING MINUTES MONDAY, MARCH 21, 2005 CONFERENCE ROOM 113

**Council Members Present:** Terry Werner, Chair; Ken Svoboda, Vice-Chair; Jon Camp, Jonathan Cook, Patte Newman, Glenn Friendt, Annette McRoy.

**Others Present:** Mayor Coleen Seng (absent), Mark Bowen, Ann Harrell, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Rick Peo, Chief Assistant City Attorney; Directors and Department Heads; Tammy Grammer, City Council Staff and Mark Andersen, Lincoln Journal Star Representative.

#### I. MAYOR

Mark Bowen stated the Mayor is at Alice Abel's funeral this morning, she will be back in the afternoon.

Mr. Bowen stated he wants to mention one other thing to Council since next Monday night is a night meeting and he thinks the Mayor has already talked to Terry (Werner) about it. The Mayor intends to be out of the office this Friday and also next Monday.

Mr. Bowen called on Directors. Don Herz stated Item 5 on their Agenda today is a refinancing of transaction for the Building Commission and Jon (Camp) & Jonathan (Cook) are aware of it. There's a fairly significant savings they realized and Scott Keene from Ameritas Investment Corporation will be at the Council Meeting to explain this is a refinance. Mr. Cook commented so it's saving money on our existing and mentioned that tomorrow they have a Special Public Building Commission Meeting to approve this refinancing. Mr. Herz replied yes, it needs to be approved by the County, the City and Public Building Commission and it doesn't matter what order they act. [05-29-Ordinance approving (1) First Amendment to Site Lease from the City and the County of Lancaster, Nebraska to the Lincoln-Lancaster County Public Building Commission, (2) First Amendment to Lease Agreement from the Commission to the County and the City and (3) the issuance of not to exceed \$27,000,000 of the Commission's Tax Supported Lease Rental Revenue Refunding Bonds, all with respect to the County-City Building and Hall of Justice.]

Steve Masters stated Items 10 & 11 on their Agenda today are requests for Multi-year funding for the Beal Slough & West O Sewer projects. They have requested that Item 10 (Beal Slough Sewer) be put on pending to work on the review and the design to see if they can't come up with cost statements. However, Item 11 will continue forward today. Mr. Werner asked indefinite pending? Mr. Masters replied yes, they intend to revisit to bring it forward but they still need to finish the consultants review of the project. [05R-58, Approving a contract involving the expenditure of money from appropriations of more than one year for the Beal Slough Relief Trunk Sewer-Phase I Project for the Lincoln Wastewater System.; and 05R-59, Approving a contract involving the expenditure of money from appropriations of more than one year for the West O Trunk Sewer Extension Project for the Lincoln Wastewater System.]

Fire Chief Spadt reported on the fire that happened Friday. Chief Spadt stated they've had several fires lately but the one probably the most known was on Friday afternoon at 27<sup>th</sup> & Randolph and above the Tobacco Shop and there's 10 apartments up there. It was a second alarm fire right at rush hour traffic which created quite a mess. Approximately \$250,000 with of damage, no injuries and the cause is yet to be determined, it's still under investigation.

Ms. McRoy stated she saw in the newspaper that there was a grass fire in the area of 48<sup>th</sup> & Superior and it said there were units from all these other small communities that were assisting them. Ms. McRoy asked if they have mutual aid or is it costing them money when they bring their pumper trucks or anything? Fire Chief Spadt replied that is under the mutual aid agreement so there is no separate cost. Chief Spadt added that they don't have the equipment to handle grass fires in that kind of terrains so they call in and they have smaller vehicles that can handle it.

Lynn Johnson noted as a FYI on that fire the newspaper and KFOR reported it as being private property, it's not private property, it's publicly owned. It's a piece of Boosalis Park and they seeded it down to fescue last year so essentially the damage seems to be [inaudible]. Ms. McRoy commented so it's actually City park. Mr. Johnson replied yes that's City property. Mr. Cook added since it is City property is there a liability or any issue there. Mr. Johnson stated they have signs posted that say 'City of Lincoln Property-No Trespassing' and it looks like kids in the neighborhood have gotten back in there and set up kind of a tree fort or something. So from a liability situation that is a concern, but their most concern is that it looks like there has been beer parties and that kind of thing back in there. They have been in doing some clearing and opening some site lines through those areas to try to discourage that kind of use and from what he can tell staff had piled up some brush in the middle and it appears that perhaps somebody started that brush pile on fire.

Mr. Cook stated regarding the 27<sup>th</sup> & Randolph site that is a rather high dollar figure is the building safe. Adding is that just damage to the interior and will it be rebuilt inside or is the building potentially something that would need to be removed. Fire Chief Spadt responded it's damaged significantly, he doesn't know what the owners plans are but it's probably able to be rehabbed he would imagine. There's no danger of clasp or anything like that it can probably be fixed up and put back into service. The bulk of the fire was contained in one of the 10 apartment units on the second floor, it did burn through the roof and a lot of water and smoke damage through out. Mr. Werner asked if the businesses were closed? Chief Spadt replied businesses are open.

1. Washington Report - March 11, 2005. — NO COMMENTS

#### II. DIRECTORS

#### **FINANCE**

 Material from Don Herz - RE: EMS Activity through February 28, 2005. — NO COMMENTS

#### FINANCE/AUDIT

1. Letter from Mark Leikam, City of Lincoln Keno Auditor - RE: Quarterly Keno Compliance Audit. — NO COMMENTS

#### FINANCE DEPARTMENT/CITY TREASURER

- Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer
   RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska Investments Purchased March 7 thru March 11, 2005. NO COMMENTS
- 2. Monthly City Cash Report City of Lincoln-Pledged Collateral Statement February 28, 2005. NO COMMENTS

#### **PLANNING**

1. Letter from Marvin Krout to W. Cecil Steward, President/CEO, Joslyn Castle Institute for Sustainable Communities. — NO COMMENTS

#### PUBLIC WORKS & UTILITIES DEPARTMENT

- 1. Memo from Randy Hoskins RE: Appeal of Use Permit #148. NO COMMENTS
- 2. Material RE: Salt Creek Floodplain Mapping Update-Project Overview-(Material for Pre-Council scheduled on 3/21/05) (See Material). NO COMMENTS

#### WEED CONTROL AUTHORITY

Combined Weed Program - City of Lincoln - February 2005 Monthly Report.
 NO COMMENTS

#### III. CITY CLERK

City Clerk Joan Ross stated on the Agenda for today, Items 2 & 3 will be called together. [Application of DoughBoyz Inc. dba DoughBoyz Bistro/Scrumpy Jacks for a Class I liquor license at 5400 South 56<sup>th</sup> Street, #185 and #195.; & Manager application of Monty R. Crandon for DoughBoyz Inc. dba DoughBoyz Bistro/Scrumpy Jacks at 5400 South 56<sup>th</sup> Street, #185 and #195.]

City Clerk Joan Ross noted they've already talked about Item 10. [05R-58, Approving a contract involving the expenditure of money from appropriations of more than one year for the Beal Slough Relief Trunk Sewer-Phase I Project for the Lincoln Wastewater System.]

On the "Miscellaneous Referral" is the Clerk's Letter and Mayor's Approval of ordinances and resolutions passed by Council on March 14, 2005 and Zoning Applications referred to the Planning Department.

Mr. Cook stated this is a procedure question regarding Item 10. They could put it on indefinite pending or they could remove it from the Agenda and that would allow Public Works to bring it forward when they feel it is appropriate to put it on 1<sup>st</sup> Reading again. Following discussion, Council decided that they would withdraw Item 10.

#### IV. COUNCIL

#### A. COUNCIL REQUESTS/CORRESPONDENCE

#### **GLENN FRIENDT- NO COMMENTS**

 Request to Marc Wullschleger, Urban Development Director / Lynn Johnson, Parks & Recreation Director - RE: Next steps for the University Place property vacation (RFI#41-02/02/05). — 1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#41-02/09/05. — NO COMMENTS

#### ANNETTE McROY

Ms. McRoy stated regarding the letter in their Directors' packet from the parents of the lifeguard. Lynn Johnson stated they started doing this the last 3 or 4 years with lifeguard staff particularly at Star City Shores. They do an evaluation through the summer and there are some staff that they don't invite back that might reapply. What they did with this individual and actually several individuals they sent out a letter saying their services as a life guard will not be needed. They try to do it early enough so they can look for another job because they've had situations in the past where somebody whose a lifeguard for them one summer just shows up the next summer expects that they will have a job. They and the City Attorney's Office have had some long conversations with Mr. Beetz and he thinks it is a poor practice to be letting people know that they're not going to ask them to reapply for a job. His daughter was a satisfactory employee, but certainly not stellar. Ms. McRoy commented so is your expectation that you would be rehired if you were satisfactory for the next summer or does everyone apply for the job or a certain amount will always be given to people who had the job the year before. Mr. Johnson stated they don't hold any jobs specifically for anybody the positions are all available. They encourage some people who have been good employees and done a good job to reapply and like he said they let some know that they're encouraging them to look elsewhere for employment. This particular employee he knows that she had conversations with her supervisor at least twice during the summer and he thinks that this wouldn't of been a surprise to her. Mr. Werner commented it doesn't have anything to do with the closing of pools, right. Mr. Johnson said no they are funded for regular operations this year and that's confusion out in the community that they

are not talking about closing pools this summer. Mr. Cook asked what percentage of people who serve on these jobs reapply the following year? Mr. Johnson stated he can get him the actual number but it is a fairly significant number. Mr. Cook commented so that's why you feel these letters are important because so many people reapply. Mr. Johnson stated yes and part of the challenge is particularly with these kind of employments is that they do most of the hiring for all of our seasonal positions between March and sometimes in April. So if somebody thinks they are going to have a summer job and they find out in May or June that they're not planning on hiring them they probably don't have an opportunity to line up another job because as he said most of the hiring is done very early. Mr. Cook asked if they have gotten any complaints like this before? Mr. Cook suggested to Mr. Johnson maybe change their practice and if they still feel like prior notice is important they can send out letters saying please check with them if they're interested in reapply or something to that without actually putting in the letter that they are not going to be hired back. Mr. Johnson stated this is actually the first time, a lot of times people have expressed appreciation of knowing that they weren't planning to rehire them because it did give them an opportunity to look for employment elsewhere. They only do this with lifeguard employees that it is a little bit more specialized because of the training and life guarding. Mr. Camp commented he was kind of dumbfounded by this that they would send out a notice that they are not going to rehire them when they haven't even applied. Mr. Camp commented if an employees performance wasn't staler and sufficient that he/she might know not reapply or if they did reapply than that would be the time to say we appreciate it we'll take it under advisement. affirmatively do this he thinks it is not a policy that he would support and they probably should change it. Mr. Camp noted that he got a call from Mr. Beetz's and he addressed his concerns and it seems like this thing is escalating perhaps unnecessarily. Mr. Camp commented is there an attempt to make a personal apology and secondly if the daughter used the City Parks as a reference what type of reference would she get, would they give a reference. Mr. Johnson stated she would get the standard reference they give dates of employment and confirm she was a employee and that's the recommendation they have with the Personnel Department but their standard practice is that they don't give references about the quality of their service. They talked with Personnel and Law before they did this and they felt given those seasonal employees prior notification was a good thing because that allows them to look for other employment. Particularly college students who rely on that income to

continue their education they felt that was reasonable thing to do. Mr. Friendt commented to Mr. Johnson that he appreciates what he is trying to do but handling something like that by mail is awful tough. He thinks it would be more appropriate that reviews are done at the end of the season and at that point the manager can speak to people individually and take care of it at that time. He supports what they are trying to do, he just thinks they can do it a little bit better. Mr. Johnson stated they can talk and revise the process. He does understand the concern that Mr. Beetz felt like his daughter received a negative letter from them and that was certainly not the intent, it was just to encourage her to look for other employment.

1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI** #**164** - **02-18-05** - Joint Request w/P.Newman). — NO COMMENTS

#### PATTE NEWMAN

Ms. Newman stated she had a lot of phone calls from people on two different items. First regarding North Hills-14<sup>th</sup> & Fletcher and asked Public Works if they have any information on it. Nicole Fleck-Tooze said yes, she will also respond in an e-mail, but generally the questions had to do with the grading and some of the tree removal. The trees that were in the Fletcher right-of-way, first thing to recall is recently the King right-of-way was just dedicated a couple weeks ago independent link on that the grading is very consistent with what was shown on the previously approved North Hills preliminary plat. A grading for the right-of-way and [inaudible] part of that previously approved plat it is also in conformance with that they show on their grading plan that was submitted to Lower Platte South NRD. The NRD did go out to the site with our staff and there are some problems with some of the roads and [inaudible] independently from that grading and those are being addressed. They have sent a letter and they have 10 days to comply and respond to it.

Regarding the questions on the wetlands and the drainage way that goes through this, there is not a minimum flood corridor through that site and the developer is not obligated through our subdivision ordinance to identify wetlands. That maybe something the CORE needs to come out and take a look at, but just in terms of our City standards it will probably be more of a CORE issue regarding the wetlands. Ms. Newman stated the concern was that water shed drains I-80 and her understanding from the neighbors is that it drains down into it and if they fill in that water shed

where is that water going to go. Ms. Tooze commented it is graded right now as kind of a sallowest well, but they will take another look at it. Ms. Newman commented so they're on it and the trees although they might have been in the City right-of-way it was okay to remove all the trees. Ms. Tooze replied yes. Ms. Newman noted the situation there was some neighbors that came home to their development in North Hills, they had this beautiful tree lined area before and they came home and all the trees were gone and so there was a lot of concern.

Second question was regarding South of Superior & Industrial Avenue a lot of industrial construction. Nicole Fleck-Tooze stated that her, Lynn (Johnson) & Mike Merwick visited about this and Lynn (Johnson) actually went out and got some photos. [Lynn Johnson passed around the photos for Council to take a look at.] Mr. Johnson stated it looks like there is two types of filler on there. Some of it is real clean fill and some of its fill has asphalt and concrete in it and they're checking in to a private property to see collectively whether there is approval to do that. The one photo shows that it is a fairly wide corridor through there and there's a pretty good [inaudible] in one area, but they can certainly come in and ask for additional maintenance to sort of beef up that stream along that edge. There is some debris in the drainage structure along that creek and the Parks Department is working with the NRD on it. Ms. Newman asked whose responsible for cleaning it out in case there is a big rain? Ms. Tooze said ultimately the NRD, but they are also working with the Parks Department on it.

- 1. Request to Don Taute, Personnel Director RE: Breakdown for Each Department for specifically requested information on M-Class Employees for Years 1995, 2000 and 2003 (**RFI #30 02-18-05** Joint Request w/A.McRoy). NO COMMENTS
- 2. Request to Lynn Johnson, Parks & Recreation Director RE: Request for more information on the tennis courts at Woods Park- (RFI#31-03/04/05). 1.) SEE RESPONSE FROM LYNN JOHNSON, PARKS & RECREATION DIRECTOR RECEIVED ON RFI#31-3/14/05. Ms. Newman stated this Request For Information (#31) can be removed from the Agenda.
- 3. Request to Marc Wullschleger, Urban Development/Lynn Johnson, Parks & Recreation/Ann Harrell, Public Works RE: Requesting information about the proposed bike/ped bridge over North 27<sup>th</sup> Street (RFI#32-3/15/05). NO COMMENTS

#### JONATHAN COOK - NO COMMENTS

#### **JON CAMP**

Mr. Camp stated regarding 48<sup>th</sup> & "O" Street, he heard on some of the land they've acquired for the right-of-way there on the BlockBuster video property that the purchased price did not include the purchase of an easement. They bought the property but they failed to recognize that there was a right-of-way easement and they will now have to go back and purchase it. Mr. Camp commented apparently there is a right-of-way easement to go across from "O" Street north to other properties and asked Public Works if that's correct. Ann Harrell stated she will have to do some checking on it with our right-of-way acquisition staff because she's not personally involved in that process.

#### **KEN SVOBODA - NO COMMENTS**

#### **TERRY WERNER**

Mr. Werner stated he would like to speak with Police Chief Casady after the Directors' Meeting today.

#### V. MISCELLANEOUS

- 1. E-Mail from Ingrid Lott RE: The proposed Wal-Mart at 84<sup>th</sup> & Adams. NO COMMENTS
- E-Mail from Monica Janssen, BA, MHS RE: The 'Ride For Five' Program.
   NO COMMENTS
- 3. Letter from Yolanda Rentina RE: The 'Ride For Five' Program. NO COMMENTS
- 4. E-Mail from Dr. Patrick Jones RE: The 'Ride For Five' Program. NO COMMENTS
- 5. E-Mail from Mark Filholm RE: The 'Ride For Five' Program. NO COMMENTS

- 6. E-Mail from Carleen Sanchez RE: The 'Ride For Five' Program. NO COMMENTS
- 7. Letter from Tasha Thomas RE: The 'Ride For Five' Program. NO COMMENTS
- 8. E-Mail from S. Todd Swanson RE: Change of Zone #05014-(Council received copy of this E-Mail on 3/14/05 in their file folders before Formal Council Meeting). NO COMMENTS
- 9. Letter from Charles W. Swingle RE: 'Ride For Five' Program. NO COMMENTS
- 10. E-Mail from Lt. Col. Joseph W. Johnson, Jr., USAF Retired RE: Antelope Valley. NO COMMENTS
- 11. Letter & Material from Steve Pella, Aquila RE: Aquila has announced a major step in its strategy to achieve investment-grade utility status-The announcement is attached. NO COMMENTS
- 12. Letter & Material from Mike Marsh, V.P., Realty Trust Group RE: Requesting to put item on Pending Change of Zone #05004-84th Street & Old Cheney Road-Pine Garden Planned Unit Development. NO COMMENTS
- 13. Letter from Jeannette Christianson, Administrative Assistant, Lincoln Medical Education Partnership (LMEP) Pathways to Self-Sufficiency Program RE: The 'Ride for Five' Program. NO COMMENTS
- 14. Letter & Material from Paul Beetz & Colette Beetz RE: My daughter received an unpleasant letter from Lincoln Parks & Rec. telling her that her services as lifeguard were not needed. Ms. McRoy mentioned this letter earlier during her comments. (See that discussion)
- 15. E-Mail & Material from J.R. Brown, North Hills RE: Blind sided by Development. NO COMMENTS
- 16. E-Mail from Emily Levine RE: Change of Zone 05014. NO COMMENTS
- 17. E-Mail from Christopher & Katee Talley RE: Near South Neighborhood. NO COMMENTS

- 18. 2 -E-Mail's from Ben Rader & Sharon Nemeth RE: Low-income bus passports. NO COMMENTS
- 19. Letter from A. Bus Rider RE: Would like you to keep the 'Ride For Five' Program. NO COMMENTS
- 20. Letter from Terri Smith RE: Please consider continuing the 'Ride For Five' Program. NO COMMENTS
- 21. Letter from Don & Darlene Muthersbaugh RE: In support of Change of Zone 05014. NO COMMENTS
- 22. Faxed Letter from Janice Harroun RE: Change of Zone 05014. NO COMMENTS
- 23. E-Mail from Rena Worth RE: In support of keeping the 'Ride For Five' Program. NO COMMENTS
- 24. Letter from Jamie Taylor RE: The 'Ride For Five' Program. NO COMMENTS
- 25. Letter from Tanna Shoyo RE: The 'Ride For Five' Program. NO COMMENTS

### **ADDENDUM** - (For March 21st)

#### I. MAYOR

- 1. NEWS RELEASE RE: Section Of North 16<sup>th</sup> Street To Close Permanently-Section of North 17<sup>th</sup> to close temporarily for water main work. NO COMMENTS
- 2. NEWS RELEASE RE: Lincoln Water System Reports Water Main Break. NO COMMENTS
- 3. NEWS ADVISORY RE: Mayor Seng's Public Schedule Week of March 19-24, 2005-Schedule subject to change. NO COMMENTS

#### II. CITY CLERK - NONE

#### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS/CORRESPONDENCE - NONE

#### B. DIRECTORS AND DEPARTMENT HEADS

#### **BUILDING & SAFETY**

1. Response Letter from Bob Siemsen, Chief Plumbing Inspector to Rod Hornby - RE: Question about charging twice for an unfinished basement bathroom -(Council received a copy of this letter in their Thursday packets on 3/17/05). — NO COMMENTS

#### C. MISCELLANEOUS

- 1. E-Mail from Dayna Krannawitter, Carol Yoakum Family Resource Center RE: Please continue the 'Ride For Five' Program. NO COMMENTS
- 2. Letter from Arthur Brannan RE: Please continue the 'Ride For Five' Program. NO COMMENTS
- 3. E-Mail from Dwayne Wilson RE: The Great Bus Pass Debate. NO COMMENTS
- 4. E-Mail from Kelly Helm Smith, Program Facilitator, African Community Center RE: Please maintain the 'Ride For Five' Program. NO COMMENTS
- 5. E-Mail from Mary O'Hare RE: Urge you to support the resolution to continue funding of the 'Ride For Five' Program. NO COMMENTS

#### VI. MEETING ADJOURNED - Approximately at 11:30 a.m.

dm032105/tjg